

21.07.2022
cm/ct 28

C.R.M. (NDPS) No. 809 of 2022

sl. no. 3

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 24/2022 arising out of **Itahar P.S Case No. 145 of 2022** dated **10.03.2022** under Sections **22 (C)** of the N.D.P.S. Act, **1985**.

Rejected

And

In Re : Gobinda Sarkar

..... petitioner

Mr. Mukunda Lal Sarkar
Mr. Bikram Mandal

..... for the petitioner

Mr. Sanjoy Bardhan,, Ld. A.P.P.
Mr. Palash Majhi

.... for the State.

Petitioner is in custody for 133 days. He prays for bail.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses and contemporaneous document namely, seizure list disclose recovery of narcotic substance i.e. 350 gms. of brown sugar which is above commercial quantity from the petitioner.

In view of the aforesaid incriminating materials and in the light of the statutory restrictions under Section 37 of the N.D.P.S. Act, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)