

28.07.2022
Sl. No.20
akd
[Rejected]

C. R. M. (NDPS) 857 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.07.2022 in connection with Haroa Police Station Case No.05 of 2022 dated 07.01.2022 under Section 21(c) of the NDPS Act. (NDPS Case No.05 of 2022)

And

In Re: ***Ibrahim Mistri***

... .. Petitioner

Mr. Ivan Roy

... .. for the petitioner

Mr. Suman De

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 200 days. It is further submitted petitioner was not arrested from the place of occurrence and he has been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses including contemporaneous documents i.e. seizure memo as well as arrest memo disclose recovery of narcotic substance i.e. 5.5 ltrs. of *codeine mixture*, which is above commercial quantity from the petitioner. In view of the aforesaid incriminating materials and statutory restrictions under Section 37 of the NDPS Act, we are not inclined in granting bail to the petitioner.

The application for bail is thus **rejected**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

