

29.07.2022.
10.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 855 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.06 of 2021 arising out of Suti P.S. Case No.607 of 2020 dated 30.12.2020 under Sections 21(C)/29 of the N. D. P. S. Act.

In the matter of : Sahidur Rahaman @ Saidul.
... Petitioner.

Mr. Shekhar Barman,
Mr. Rohit Prasad.
...for the Petitioner.

Ms. Faria Hossain,
Mr. Anand Keshari.
...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner renews his prayer for bail. It is contended narcotic substance was recovered from the possession of co-accused Abdul Halim.

Learned Advocate for the State opposes the prayer for bail. He submits Abdul Halim was present in the vehicle which was driven by the petitioner. Upon search narcotic substance i.e. 5800 yaba tablets were recovered from the joint possession of the petitioner and Abdul Halim.

We have considered the materials on record including the seizure memorandum. Petitioner and Abdul Halim were present in the vehicle and 5800 yaba tablets were recovered from their joint possession. Additionally 100 numbers of yaba

tablets were recovered from the exclusive possession of Abdul Halim.

In view of the aforesaid incriminating materials disclosing transportation of narcotic substance above commercial quantity by the petitioner and co-accused and in view of 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.)