

05.08.2022
Sl. No.3
akd
[Rejected]

C. R. M. (NDPS) 879 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.07.2022 in connection with Berhampore Police Station Case No. 478 of 2020 dated 26.05.2020 under Sections 22(c)/29 of the NDPS Act.

And

In Re: ***Jeherul Sk. @ Bellal***

... .. Petitioner

Mr. Kaustav Banerjee
Ms. Koyel Sinha
Ms. Ria Kundu

... .. for the petitioner

Mr. Swapan Banerjee
Mr. Suman De

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than two years.

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

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 98 bottles of *codeine mixture*, which is above commercial quantity from the possession of 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**.

Trial court is directed to expedite the trial and conclude the same at an early date.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

