

05.08.2022  
Sl. No.6  
**akd**  
[Rejected]

**C. R. M. (NDPS) 890 of 2022**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.08.2022 in connection with Kumarganj Police Station Case No. 205 of 2022 dated 14.06.2022 under Sections 21/22/23 of the NDPS Act.

And

In Re: ***Bhim Hembram @ Hembrom***

... .. Petitioner

Mr. Pawan Kr. Gupta  
Mr. Subrata Saha  
Ms. Sofia Nesar  
Mr. Santanu Sett

... .. for the petitioner

Mr. Suman De

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 46 days. It is further submitted petitioner did not sign the seizure memo.

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

We have considered the materials on record. Petitioner was apprehended with narcotic substance by BSF personnel. Statements of BSF personnel implicate the petitioner. Contemporaneous document i.e. arrest memo show he was arrested from the place of occurrence. 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.)**

