

08.08.2022
Sl. No.4
akd
[Rejected]

C. R. M. (NDPS) 895 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 02.08.2022 in connection with Pandua Police Station Case No. 58 of 2022 dated 05.02.2022 under Section 20(b)(ii)(c) of the NDPS Act. (NDPS Case No.05 of 2022)

And

In Re: ***Md. Jahangir***

... .. Petitioner

Mr. Sekhar Kumar Basu .. Sr. Advocate
Mr. Siladitya Banerjee
Mr. Ranadeb Sengupta
Mr. Sachit Talukdar

... .. for the petitioner

Mr. Sanjay Bardhan
Mr. Palash Ch. Majhi

... .. for the State

It is submitted on behalf of the petitioner that he is in custody since 05.02.2022. It is further submitted drawing of samples from the seized contraband was not in accordance with law.

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

We have considered the materials on record. Alleged recovery is above commercial quantity. Issue regarding irregularity in drawing of samples requires to be assessed after leading evidence. Under such circumstances and in view of the 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.)

