

24.08.2022
Sl. No.12
akd
[Rejected]

C. R. M. (NDPS) 962 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 17.08.2022 in connection with Lalgola Police Station Case No. 155 of 2020 dated 18.03.2020 under Section 21(c) of the NDPS Act. (NDPS Case No.87 of 2020)

And

In Re: ***Monirul Islam***

... .. Petitioner

Ms. Minoti Gomes
Mr. Jisan Iqbal Hossain

... .. for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Sandip Chakraborty
Mr. Mainak Gupta

... .. for the State

It is submitted on behalf of the petitioner that the independent witnesses are pocket witnesses of the police 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 document i.e. seizure memo disclose recovery of narcotic substance i.e. 50 bottles of *phensedyl syrup*, which is above commercial quantity from the possession of the petitioner. Credibility of the independent witnesses can be impeached only in course of trial. In view of the aforesaid circumstances 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.)