

29.07.2022
cm/ct 28

sl. no. 10

Rejected

C.R.M. (NDPS) No. 981 of 2022

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with NDPS case No. 136 of 2021 arising out of **English Bazar Police Station Case No. 1687 of 2021** dated **04.12.2022** under Sections **20(b)(ii)(c)/27(A)/29** of the N.D.P.S. Act.
And

In Re : Joyanta Barman @ Jayanta Barman & Anr.
..... petitioners

Mr. Arnab Saha
..... for the petitioners

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta
..... for the State.

Petitioners are in custody for 260 days. He submits they are innocent and have been falsely implicated in the case.

Learned advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses and contemporaneous document namely, seizure list disclose recovery of narcotic substance i.e. 51 Kgs. of ganja which is above commercial quantity from a vehicle. Petitioners were in the vehicle at the time of recovery.

In view of the aforesaid incriminating materials and the statutory restrictions under Section 37 of the N.D.P.S. Act, we are not inclined to grant bail to the petitioners.

Accordingly, the prayer for bail of the petitioners is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

