

22.09.2022
Sl. No.9
akd
[Rejected]

C. R. M. (NDPS) 1077 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.09.2022 in connection with Jiagunj Police Station Case No. 102 of 2021 dated 09.06.2021 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.105 of 2021)

And

In Re: ***Raj Kumar Mondal***

... .. Petitioner

Md. G. N. Imrohi
Mr. Debapriya Majumder

... .. for the petitioner

Mr. Suman De

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about one year and three months. It is further submitted petitioner 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. 35 kgs. of *Ganja*, which is above commercial quantity from the joint possession of the petitioner and co-accused. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

The application for bail is thus **rejected**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

