

30.09.2022

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rejected

C.R.M.(NDPS) No. 1157 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with English Bazar Police Station Case No. 617 of 2019 dated 03.07.2019 under Sections 379/411/120B of the Indian Penal Code read with Sections 21(c)/29/27A of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : Mishter Sekh @ Mister Sk petitioner.

Mr. Sourav Chatterjee

Mr. Avinaba Patra

... for the petitioner

Mr. Suman De

... for the State

Learned Counsel appearing for the petitioner submits the petitioner is in custody for 32 days. It is also submitted that no narcotic substance was recovered from his possession.

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

We have considered the materials on record. Statement of independent witness shows the petitioner had funded transportation of narcotic substance which is above commercial quantity.

In view of the aforesaid materials on record and statutory restriction 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.)