

03.11.2022
Sl. No.15
akd
[Rejected]

C. R. M. (NDPS) 1232 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 30.09.2022 in connection with Naihati Police Station Case No. 27 of 2022 dated 19.01.2022 under Section 21(c) of the NDPS Act.

And

In Re: ***Alamgir Hussain @ Vinda***

... .. Petitioner

Mr. Tanmay Chowdhury

... .. for the petitioner

Mr. Anwar Hossain
Mr. Amanul Islam

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about nine months. It is further submitted chemical report has been submitted by an unauthorised body.

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 above commercial quantity from the possession of the petitioner. Chemical report has been obtained from the State Drug Control and Research Laboratory which is empowered to examine samples under the NDPS Act. In view of the aforesaid circumstances and 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.)

