

10.11.2022
Sl. No.7
akd
[Rejected]

C. R. M. (NDPS) 1313 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.11.2022 in connection with Lalgola Police Station Case No. 48 of 2022 dated 10.02.2022 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.48 of 2022)

And

In Re: ***Selim Sk. @ Selim @ Jahangir Selim***

... .. Petitioner

Mr. Achyut Basu
Ms. Punam Basu
Mr. Kartick Chandra Kapas

... .. for the petitioner

Mr. Sanjay Bardhan
Ms. Baisakhi Chatterjee

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 270 days.

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. 850 gms. of *Heroin*, which is above commercial quantity from the joint possession of the petitioner and co-accused. In view of the aforesaid incriminating materials 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.)

