

10.11.2022
Sl. No.12
akd
[Rejected]

C. R. M. (NDPS) 1321 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.11.2022 in connection with Palashipara Police Station Case No. 316 of 2020 dated 30.10.2020 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.77 of 2020)

And

In Re: ***Alim Sk. & Anr.***

... .. Petitioners

Mr. Sumanta Das

... .. for the petitioners

Mr. Saryati Datta

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for about 741 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. 265 gms. of *Heroin*, which is above commercial quantity from the joint possession of the petitioners and co-accuseds. 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 petitioners.

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

Trial court is directed to expedite the trial and conclude the same at an early date.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

