

25.11.2022

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rejected

C.R.M. (NDPS) No. 1391 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Domkal Police Station Case No. 374 of 2021 dated 29.06.2021 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Safikul Islam ... petitioner

Mr. Susnigdho Bhattacharyya

...for the petitioner

Mr. Saryati Datta

....for the State

Learned Counsel appearing for the petitioner submits he is in custody for one year and four months. He prays for bail.

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

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 104 bottles of phensedyl above commercial quantity from the possession of the petitioner.

In view of the aforesaid incriminating materials on record and the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)