

25.11.2022

16
sdas
rejected

C.R.M. (NDPS) No. 1396 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Suti Police Station Case No. 238 of 2021 dated 30.06.2021 under Sections 21(c)/29 of the NDPS Act.

In Re : Abul Kasem @ Kasem Sk. ... petitioner

Mr. Arnab Chatterjee
Mr. Anisur Rahman

...for the petitioner

Mr. Neguive Ahmed, learned APP

....for the State

Learned Counsel appearing for the petitioner submits he is in custody for 500 days. 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 10 litres of mixture of codeine phosphate 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.)