

13.12.2022.
08.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1466 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.268 of 2021 arising out of Lalgola P.S. Case No.794 of 2021 dated 27.11.2021 under Sections 21(c) of the NDPS Act.

In the matter of : Tarikul Islam.

... Petitioner.

Mr. Jisan Iqubal Hossain,
Ms. Chandrima Debnath,
Mr. Karnel Mondal.

...for the Petitioner.

Mr. Saryati Datta.

...for the State.

Petitioner is in custody for 381 days. He prays for bail.

Learned Advocate 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 narcotic substance above commercial quantity i.e. 300 grams of heroin from the possession of the petitioner.

Under such circumstances and in view of 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.)

