

13.12.2022.
15.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1473 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.19 of 2022 arising out of Uttarpura P.S. Case No.184 of 2022 dated 01.06.2022 under Sections 21(C)/29 of the NDPS Act.

In the matter of : Subrata Chakraborty @ Babu.
... Petitioner.

Mr. Syed Shahid Imam,
Md. Mokaram Hossan,
Mr. Sandipan Maity,
Md. Khairul.
...for the Petitioner.

Mr. Tapan Deb Nandy,
Mr. Antarikhya Basu.
...for the State.

Petitioner is in custody for two and half years. It is contended petitioner had gone to the police station in the morning of 1st June, 2022. He was illegally detained and falsely implicated in the instant case. 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 documents i.e. seizure memorandum/inventory list show narcotic substance above commercial quantity from the joint possession of the petitioner and co-accused.

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.)