

13.12.2022.
19.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1477 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.165 of 2021 arising out of Jiaganj P.S. Case No.124 of 2021 dated 11.08.2021 under Sections 21(c)/29 of the NDPS Act and charge sheet submitted under Section 21(c) of the NDPS Act read with Sections 379/411 of the Indian Penal Code.

In the matter of : Dhiraj Das @ Dhiroj Das.

... Petitioner.

Mr. Jayanta Narayan Chatterjee,
Ms. Nandini Chatterjee,
Ms. Jayashree Patra,
Ms. Sreeparna Ghosh,
Ms. Ritushree Banerjee,
Ms. Pritha Sinha.

...for the Petitioner.

Mr. Aniket Mitra.

...for the State.

Petitioner renews his prayer for bail. Petitioner is in custody for 489 days.

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 show narcotic substance above commercial quantity was recovered from the exclusive possession of the petitioner. Bail prayer of the petitioner was rejected earlier on merits.

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.)