

16.12.2022
Sl. No.10
akd
[Rejected]

C. R. M. (NDPS) 1494 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.12.2022 in connection with Hariharpara Police Station Case No.203 of 2021 dated 24.05.2021 under Sections 21(b)(ii)(c)/29 of the NDPS Act. (NDPS Case No.94 of 2021)

And

In Re: ***Sajahan Molla @ Sarjahan Molla***

... .. Petitioner

Mr. Jisan Iqbal Hossain
Ms. Chandrima Debnath
Mr. Karnel Mondal

... .. for the petitioner

Mr. Swapan Banerjee
Mr. Suman De

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for over 500 days.

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

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 26 kgs. of *Ganja*, which is above commercial quantity from the possession of the petitioner. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

The application for bail is thus **rejected**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

