

19.12.2022

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rejected

C.R.M. (NDPS) No. 1502 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Palashipara Police Station Case No. 170 of 2022 dated 08.05.2022 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Kabijul Mondal petitioner

Mr. Debarshi Brahma

... for the petitioner

Mr. Sanjoy Bardhan

Mr. Palash Chandra Majhi

... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 220 days. It is also submitted that he has been falsely implicated. He prays for bail.

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

We have considered the materials on record. Statements of the witnesses disclose involvement of the petitioner in recovery of narcotic substance above commercial quantity.

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.)

