

22.12.2022

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rejected

C.R.M. (NDPS) No. 1519 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hasnabad Police Station Case No. 554 of 2021 dated 05.09.2021 under Section 21(c)/29 of the NDPS Act.

And

In Re : Arijul Sardar petitioner

Mr. Mohinoor Rahaman

Ms. Maria Rahaman

Mr. Iqra Rahaman

... for the petitioner

Mr. Ranadeb Sengupta

... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 15 months. 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 witnesses and contemporaneous document i.e. seizure memorandum show recovery of 3.2 litres of codeine phosphate 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.)

