

05.01.2023.
15.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 4 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Special Case No. 63 of 2022 arising out of Hili P.S. Case No.184 of 2022 dated 11.08.2022 under Sections 21(c)/22(c)/23(c)/27A of the NDPS Act read with Sections 14(A)(b)/14(C) of the Foreigners Act read with Section 46(A)(b) of the Bengal Excise Act.

In the matter of : Jiyar Mondal @ Jiyar Mandal.

... Petitioner.

Ms. Busra Khatoon.

...for the Petitioner.

Mr. Sudip Ghosh,
Mr. Apurba Kr. Datta.

...for the State.

Petitioner is in custody for 87 days. It is submitted no narcotic substance was recovered from his residence. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses show recovery of narcotic substance and other incriminating materials from the residence of the petitioner.

In view of the aforesaid circumstances and the 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.)

