

09.01.2023

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rejected

C.R.M. (NDPS) No. 16 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NCB Crime No. 73/NCB/KOL/2021 dated 01.09.2021 under Section 8(c) read with Sections 20(b)(ii)(C)/28/29 of the NDPS Act.

And

In Re : Tarique Anwar & Anr. petitioners

Mr. Kashinath Roy

Ms. Sikta Roy

... for the petitioners

Mr. Neguive Ahmed, learned APP

... for the State

Heard learned Counsels appearing for the parties.

We have considered the materials on record. Statements of the witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotic substance i.e. 42 kgs. of Ganja which is above commercial quantity from the joint possession of the petitioners.

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 petitioners.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

