

16.01.2023

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rejected

C.R.M. (NDPS) No. 64 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure arising out of NCB Crime No. 03/NCB/KOL/2022 under Section 8(c) read with Sections 20(b)(ii)(C)/25/29 of the NDPS Act.

And

In Re : Dipak Ranjan Pradhan & Anr. petitioners

Mr. Dattatreya Dutta

... for the petitioner

Mr. Kallol Mondal

Mr. Tirtua Pati Acharyya

... for the NCB

Learned Counsel for the petitioners submits they are in custody for 350 days. They have been falsely implicated in the case. They pray for bail.

Learned Counsel for the NCB opposes the prayer for bail.

We have considered the materials on record. Statements of the witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotic substance, above commercial quantity from the vehicle which was in the control and 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.)

