

20.01.2023.
23.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 87 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N Case No. 144 of 2021 arising out of Hasnabad P.S. Case No.649 of 2021 dated 30.10.2021 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Hamida Bibi.

... Petitioner.

Mr. Moyukh Mukherjee,
Mr. Abhijit Singh,
Mr. Shakkti Halder,
Mr. Sarthak Mondal.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Mr. Palash Ch. Majhi.

...for the State.

Petitioner is in custody for one year and three months. He renews his prayer for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Narcotic substance above commercial quantity i.e. 2.1 kg. of codeine mixture was recovered from the petitioner. No narcotic substance was recovered from co-accused Selim Gazi @ Salim Gazi who is on bail.

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.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)

