

02.02.2023.
17.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 154 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 225 of 2021 arising out of Lalgola P.S. Case No.766 of 2021 dated 06.11.2021 under Sections 21(c)/29 of the NDPS Act and for violation of Section 8 of the NDPS Act.

In the matter of : Aditya Roy @ Aditya Shankar Roy.
... Petitioner.

Mr. Imtiaz Akhtar.
...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Debjani Das Gupta.
...for the State.

Petitioner is in custody for 390 days. He prays for bail.

Learned Advocate for the State opposes the bail prayer.
He submits date has been fixed for consideration of charge.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 390 gms of heroin from the petitioner.

In view of the aforesaid incriminating materials on record 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.)

