

07.02.2023.
08.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 198 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with T.R. (NDPS) Case No. 11 of 2021 arising out of Kolaghat P.S. Case No.430 of 2021 dated 23.10.2021 under Sections 22/24/25/27A/29 of the NDPS Act and charge sheet submitted under Sections 22/24/25/27A/29 of the NDPS Act.

In the matter of : Sarat Naik @ Sarat Kumar Naik.
... Petitioner.

Mr. Ayan Basu,
Mr. Sumit Routh.
...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Baishakhi Chatterjee.
...for the State.

Petitioner is in custody for 479 days. He prays for bail.

Learned Advocate for the State opposes the bail prayer.
He submits charge has been framed.

We have considered the materials on record. There are materials implicating the petitioner in the possession of narcotics above commercial quantity i.e. 79.4 kgs. of ganja from the joint possession of the petitioner. Charge has already been framed and the date has been fixed for recording evidence of prosecution witnesses.

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.)

