

08.02.2023.
13.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 216 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 11 of 2022 arising out of Coke Oven P.S. Case No.93 of 2022 dated 18.05.2022 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

In the matter of : Kartick Saha ... Petitioner.

Mr. Dipayan Kundu.
...for the Petitioner.

Mr. Sanjoy Bardhan,
Mr. Palash Ch. Majhi.
...for the State.

Petitioner is in custody for 253 days. He prays for bail.

Learned Advocate for the State opposes the bail prayer.
He submits date has been fixed for examining prosecution witnesses.

We have considered the materials on record. 353.1 kgs. of ganja was recovered from two vehicles. Petitioner was an occupant of one of the vehicles. Charge has already been framed and date has been fixed for recording prosecution evidence.

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.)