

20.02.2023
Sl. No.10
akd
[Rejected]

C. R. M. (NDPS) 299 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 14.02.2023 in connection with Islampur Police Station Case No.418 of 2021 dated 22.12.2021 under Sections 20(b)(ii)(c)/29 of the NDPS Act. (NDPS Case No.291 of 2021)

And

In Re: ***Mustofa Mondal @ Mostafa Mondal & Anr.***

... .. Petitioners

Mr. Anisur Rahaman

... .. for the petitioners

Mr. Antarikhya Basu

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 42 kgs. of *Ganja*, which is above commercial quantity from the possession of the petitioners. Delay in the matter is due to abscondence of co-accused. 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.)