

13.03.2023
tkm/ct 28
sl no.62

C.R.M. (NDPS) 302 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Swarupnagar P.S case no. 989 of 2022 dated 7.10.2022 under sections 21(c)/20(b)(ii)A/29 of the NDPS Act

And

In Re : Malay Baidya

..... petitioner

Mr. Arnab Chatterjee

Mr. D Biswas

Ms. P Bose

..... for the petitioner

Mr. R Sengupta

..... for the State

Report is placed on record. From the report it appears that the medical condition of the petitioner is not alarming and does not require institutional treatment. That apart, there are materials to show recovery of narcotics above commercial quantity from his possession

Under such circumstances and in view of the statutory restriction under section 37 of the NDPS Act, we are not inclined to grant bail to petitioner.

Accordingly, prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)