

23.02.2023.
21.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 336 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lake Town P.S. Case No.326 of 2021 dated 14.12.2021 under Section 21(C)/29 of the NDPS Act.

In the matter of : Amit Mondal.

... Petitioner.

Mr. Arnab Chatterjee,
Mr. Amanul Islam
Mr. Sourav Mukherjee.

...for the Petitioner.

Mr. Sudip Ghosh,
Mr. Apurba Kr. Datta.

...for the State.

Petitioner is in custody for more than a year. Charge has not been framed as yet. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Statements of witnesses and other materials show recovery of narcotics i.e. 1135 kgs. of ganja from a vehicle. Petitioner was present in the vehicle and had control and custody of the contraband.

Under such circumstances and in view of 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.)

