

17.03.2023
Sl. No.8
akd
[Rejected]

C. R. M. (NDPS) 395 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.03.2023 in connection with Berhampore Police Station Case No.790 of 2022 dated 15.06.2022 under Sections 22(c)/29 of the NDPS Act. (NDPS Case No.148 of 2022)

And

In Re: ***Joshim Sk.***

... .. Petitioner

Mr. Arnab Chatterjee

... .. for the petitioner

Mr. Sanjay Bardhan
Mr. Palash Ch. Majhi

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about nine months.

Chemical examiner's report has been collected.

Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 1.8 kgs. of *methamphetamine*, which is above commercial quantity from the petitioner. Chemical examiner's report confirms the prosecution case. 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.

The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)