

20.03.2023
Sl. No.16
akd
[Rejected]

C. R. M. (NDPS) 418 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.02.2023 in connection with Gangarampur Police Station Case No.70 of 2017 dated 15.02.2017 under Sections 21/22/25/27A/28 of the NDPS Act.

And

In Re: ***Khairul Mia @ Khairul Miah***

... .. Petitioner

Mr. Kaushik Choudhury
Ms. Busra Khatoon

... .. for the petitioner

Mr. T. D. Nandy
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 above commercial quantity from the house of the petitioner. He has absconded for about six years. 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.)