

20.03.2023
Sl. No.28
akd
[Rejected]

C. R. M. (NDPS) 430 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.03.2023 in connection with Baduria Police Station Case No.86 of 2022 dated 14.02.2022 under Section 21(c) of the NDPS Act.

And

In Re: ***Subash Mondal***

... .. Petitioner

Mr. Angshuman Chakraborty

... .. for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Sandip Chakraborty

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 380 days.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 5 ltrs. of *codeine mixture*, which is above commercial quantity from the petitioner. 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.)