

24.03.2023.
21.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 496 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Domjur P.S. Case No.342 of 2022 dated 21.04.2022 under Section 20(b)(ii)(c) of the NDPS Act and charge sheet submitted under Section 20(b)(ii)(c) of the NDPS Act.

In the matter of : Maheswar Patra. ... Petitioner.

Mr. Jayanta Narayan Chatterjee,
Mr. Supreem Naskar,
Ms. Jayashree Patra,
Ms. Sreeparna Ghosh.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Baishakhi Chatterjee.

...for the State.

Petitioner is in custody for 337 days. He submits recovery was from a public vehicle. He is not the owner of the bags where narcotics was stored.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. From the materials on record, it appears that the recovery was made from a public thoroughfare and petitioner was standing with a bag on the road.

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.)