

03.04.2023
Sl. No.3
akd
[Rejected]

C. R. M. (NDPS) 504 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 16.03.2023 in connection with Jalangi Police Station Case No.177 of 2022 dated 26.05.2022 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.132 of 2022)

And

In Re: ***Tahijul Sk. @ Hana @ Taijul Sk. & Anr.***

... .. Petitioners

Mr. Soumyajit Das Mahapatra

... .. for the petitioners

Mr. T. D. Nandy

Mr. Antarikhya Basu

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for about ten months. It is further submitted samples have not been drawn for chemical examination.

Chemical examiner's report is placed on record on behalf of the State.

Materials on record show recovery of narcotics above commercial quantity. Inventory has been made in terms of Section 52A of the NDPS Act and representative samples have been drawn. The samples have been sent for chemical examination. 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 petitioners.

The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

