

03.04.2023
Sl. No.5
akd
[Rejected]

C. R. M. (NDPS) 614 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 28.03.2023 in connection with Jalangi Police Station Case No.37 of 2022 dated 01.02.2022 under Sections 21(b)/29 of the NDPS Act. (NDPS Case No.40 of 2022)

And

In Re: ***Faruk Ahmed @ Laltu Sk. @ Faruk Ahammed @ Laltu***
... .. Petitioner

Mr. Tapodip Gupta
... .. for the petitioner

Ms. Anasuya Sinha
Mr. Pinak Kumar Mitra
... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Chemical examiner's report has been placed before the trial court. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 300 gms. of *Heroin* in all, which is above commercial quantity from the petitioner and co-accused. 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.)