

05.04.2023

16
sdas
rejected

C.R.M. (NDPS) No. 652 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 577 of 2021 dated 04.06.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Md. Yusuf Ali petitioner

Mr. Mazhar Hossain Chowdhury

Ms. Mobashshara Alam

... for the petitioner

Mr. Madhusudan Sur, learned APP

Mr. Manoranjan Mahata

... for the State

Learned Counsel for the petitioner submits he is in custody for one year and nine months. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotics i.e. 602 gms. of Heroin above commercial quantity from the joint possession of the petitioner and co-accused.

In view of the aforesaid circumstances and 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.)

