

05.04.2023

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rejected

C.R.M. (NDPS) No. 653 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Domkal Police Station Case No. 424 of 2021 dated 17.07.2021 under Section 21(c) of the NDPS Act.

And

In Re : Shankar Gowala @ Shankar Goala petitioner

Mr. Uday Sankar Chattopadhyay

Ms. Trisha Rakshit

Ms. Rajashree Tah

... for the petitioner

Mr. Sanjoy Bardhan

Mr. Chittaranjan Ghosh

... for the State

Learned Counsel for the petitioner submits he is in custody for one year and eight 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. 102 bottles of Phensedyl Syrup above commercial quantity from the petitioner. Trial is in progress.

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.)

