

05.04.2023.
29.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 665 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.08 of 2021 arising out of Bhadreswar P.S. Case No.80 of 2021 dated 01.03.2021 under Section 21(c) of the NDPS Act.

In the matter of : Md. Sahazada.

... Petitioner.

Mr. Arunava Ganguly.

...for the Petitioner.

Mrs. Anasuya Sinha,
Mr. Pinak Kr. Mitra.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotics above commercial quantity i.e. 2 ltrs. of codeine mixture from the petitioner. Trial is in progress.

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.)