

11.04.2023
Sl. No.13
akd
[Rejected]

C. R. M. (NDPS) 671 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 31.03.2023 in connection with Habra Police Station Case No.110 of 2023 dated 06.02.2023 under Section 21(c) of the NDPS Act.

And

In Re: ***Kamal Biswas @ Kamal Krishna Biswas @ Sona***
... .. Petitioner

Mr. Shekhar Barman
... .. for the petitioner

Mr. Sanjay Bardhan
Ms. Baisakhi Chatterjee
... .. for the State

It is submitted on behalf of the petitioner that he was in custody in an earlier case. Narcotics was planted at his residence. He has been falsely implicated. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner has criminal antecedents. He was in custody in an earlier case. He made disclosure statement leading to recovery of narcotics from his residence. Recovery is witnessed by independent persons. In view of the aforesaid materials on record and 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.)

