

11.04.2023.
29.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 714 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.236 of 2021 arising out of Berhampore PS Case No.1160 of 2021 dated 10.10.2021 under Sections 20(c)/29 of the NDPS Act.

In the matter of : Harikanta Das @ Hari Kanta Das & Anr.
... Petitioners.

Mr. Tapodip Gupta.

...for the Petitioners.

Mr. T. D. Nandy,
Mr. Antarikhya Basu.

...for the State.

Petitioners submit chemical examiner's report has not been placed before the trial court.

This is disputed by the learned Advocate for the State.

We have considered the materials on record. Chemical examiner's report shows presence of ganja in the sample. Charge has already been framed and 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 petitioners.

Accordingly, the prayer for bail of the petitioners is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)