

13.04.2023

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rejected

C.R.M. (NDPS) No. 736 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Mothabari Police Station Case No. 215 of 2021 dated 26.07.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Sahajan Ali petitioner

Mr. Rana Mukhopadhyay
... for the petitioner

Mr. Sanjoy Bardhan
Ms. Debjani Dasgupta
... for the State

Heard the learned Counsels for the parties.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotics i.e. 480 grams of Heroin above commercial quantity from the possession of 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.)

