

18.04.2023
Sl. No.18
akd
[Rejected]

C. R. M. (NDPS) 774 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.04.2023 in connection with Barasat Police Station Case No.678 dated 16.09.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Abdul Alim Sardar & Anr.***

... .. Petitioners

Mr. Akmam Khan
Mr. Pronojit Roy

... .. for the petitioners

Mr. Sanjay Bardhan
Ms. Baisakhi Chatterjee

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 86 kgs. of *Ganja*, which is above commercial quantity from the petitioners and co-accused. Bail prayer of co-accused was rejected in July, 2022. Petitioners stand on the same footing with the said co-accused. Trial is in progress. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.

The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)