

20.04.2023.
08.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 813 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Spl. Case No.35 of 2022 arising out of Kaliachak P.S. Case No.225 of 2022 dated 24.02.2022 under Sections 21(C)/29 of the NDPS Act.

In the matter of : Moktarul Sekh @ Moktarul Sk.
... Petitioner.

Mr. Avinaba Patra,
Mr. Partha Sarathi Das,
Ms. Shanta Sarkar.
...for the Petitioner.

Mr. Ashok Das,
Mr. Sandip Chakraborty.
...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 271 grams of yaba tablets containing methamphetamine from the petitioner. Charge has been framed and date has been fixed for recording prosecution evidence.

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.)