

21.04.2023
Sl. No.25
akd
[Rejected]

C. R. M. (NDPS) 839 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.04.2023 in connection with Haroa Police Station Case No.05 of 2022 dated 07.01.2022 under Section 21(c) of the NDPS Act.

And

In Re: ***Ibrahim Mistri***

... .. Petitioner

Mr. Santanu Taludar
Mr. Ivan Roy
Mr. Debangshu Bandhu

... .. for the petitioner

Ms. Anasuya Sinha
Mr. Pinak Kumar Mitra

... .. 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. 5.5 ltrs. of *codeine mixture*, which is above commercial quantity from the petitioner. Bail prayer of the petitioner was rejected in July, 2022. There is no change in circumstance since then. 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 petitioner.

The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)