

24.04.2023.
21.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 846 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.98 of 2022 arising out of English Bazar P.S. Case No.1160 of 2022 dated 21.07.2022 under Sections 21(C)/29 of the NDPS Act.

In the matter of : Haidar Ali @ Hyder Ali & Anr.
... Petitioners.

Mr. Sourav Chatterjee,
Ms. Namrata Chatterjee.
...for the Petitioners.

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

Petitioner is in custody for 278 days. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotics above commercial quantity i.e. 830 grams of brown sugar i.e. heroin from the petitioner.

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.)