

26.04.2023
Sl. No.4
akd
[Rejected]

C. R. M. (NDPS) 854 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.04.2023 in connection with Kaliachak Police Station Case No.247 of 2022 dated 08.03.2022 under Sections 22(c)/29 of the NDPS Act.

And

In Re: **Sabib Sk.**

... .. Petitioner

Mr. Arup Kumar Bhowmick

... .. for the petitioner

Mr. Madhusudan Sur .. Id. Addl. Public Prosecutor

Mr. Dipankar Paramanick

... .. 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. 55 gms. of *Yaba* tablets, which is above commercial quantity from the petitioner. 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.)