

03.05.2023
Sl. No.12
akd
[Rejected]

C. R. M. (NDPS) 919 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 27.04.2023 in connection with Lalgola Police Station Case No.802 of 2021 dated 02.12.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Jahangir Kabir***

... .. Petitioner

Mr. Arnab Chatterjee
Mr. Amanul Islam
Mr. Sourav Mukherjee
Ms. Dhanasree Biswas
Ms. Poulami Bose

... .. for the petitioner

Mr. Swapan Banerjee
Mr. Suman De

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 1½ years. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 550 gms. of *Heroin*, which is above commercial quantity from the petitioner and co-accused. Charge has already been framed. 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.)

