

10.05.2023
Sl. No.18
akd
[Rejected]

C. R. M. (NDPS) 942 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 02.05.2023 in connection with Kaliganj Police Station Case No.626 of 2022 dated 23.09.2022 under Sections 20(b)/25/29 of the NDPS Act. (NDPS Case No.74 of 2022)

And

In Re: ***Biman Kishore Sen***

... .. Petitioner

Mr. R. Abedin
Mr. Asif Dewan

... .. for the petitioner

Mr. Sudip Ghosh
Mr. Bitasok Banerjee

... .. 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. 52.6 kgs. of *Ganja*, which is above commercial quantity from a vehicle. Petitioner was present in the vehicle. 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.)