

12.05.2023
Sl. No.3
akd
[Rejected]

C. R. M. (NDPS) 960 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 16.03.2023 in connection with Kaliachak Police Station Case No.762 of 2020 dated 03.10.2020 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Sajib Akhtar @ Sazib Aktar***

... .. Petitioner

Mr. Avinaba Patra
Mr. Dipayan Kundu

... .. for the petitioner

Mr. Ranadeb Sengupta

... .. 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. 256 gms. of *Heroin*, which is above commercial quantity from the petitioner. Trial is in progress. Bail prayer of co-accused was turned down in April, 2023. Petitioner stands on the same footing with the said co-accused. 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.)