

05.07.2023.
30.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1078 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.102 of 2021 arising out of Islampur P.S. Case No.136 of 2021 dated 04.06.2021 under Sections 20(b)(ii)(c)/29 of the NDPS Act and charge sheet submitted under Sections 20(b)(ii)(c)/29 of the NDPS Act.

In the matter of : Mahammad Sk. ... Petitioner.

Mr. S. Bhattacharyya
Md. Sabbir Biswas.

...for the Petitioner.

Mr. Arijit Ganguly,
Mr. Nirupam Dhali.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum shows recovery of narcotics above commercial quantity i.e. 80 kgs. of ganja from a vehicle and a motorcycle. Petitioner was the driver of the vehicle.

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.)