

08.06.2023.
13.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1087 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection Special Case No.57 of 2022 arising out of Kaliachak P.S. Case No.397 of 2022 dated 16.04.2022 under Sections 21(C)/29 of the NDPS Act.

In the matter of : Mosaraf SK @ Mosraf.
... Petitioner.

Mr. Bikram Mandal.
...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Bibaswan Bhattacharya.
...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Statements of witnesses *prima facie* show recovery of narcotics above commercial quantity. Plea of statutory bail was considered and turned down by this Court in CRM (NDPS) 1250 of 2022.

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.)