

09.06.2023
Sl. No.11
akd
[Rejected]

C. R. M. (NDPS) 1090 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.06.2023 in connection with Malda Police Station Case No.573 of 2022 dated 12.12.2022 under Sections 21(c)/25/28/29 of the NDPS Act. (NDPS Case No.202 of 2022)

And

In Re: ***Ismail***

... .. Petitioner

Mr. Kalidas Saha

... .. for the petitioner

Mr. Antarikhya Basu

... .. 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. 360 gms. of *brown sugar*, which is above commercial quantity from a vehicle. Petitioner and co-accused were present in the said 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.)