

17.07.2023.
18.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1265 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.24 of 2021, S.T.04 of 2022 arising out of Kulti P.S. Case No.423 of 2021 dated 23.08.2021 under Sections 20(b)(ii)(c) of the NDPS Act.

In the matter of : Md. Asif Ansari @ Chotu.
... Petitioner.

Ms. Minoti Gomes.
...for the Petitioner.

Mr. Saryati Datta.
...for the State.

It is submitted no narcotics was recovered from his possession. Co-accused is on bail. He is in custody for about two years. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Seizure memorandum show recovery was made from the joint possession of the petitioner and co-accused.

Under such circumstances, it cannot be said no recovery was made from the petitioner.

Hence, 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.)