

24.07.2023
Sl. No.9
akd
[Rejected]

C. R. M. (NDPS) 1296 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.07.2023 in connection with Jiaganj Police Station Case No.139 of 2022 dated 26.05.2022 under Section 22(c) of the NDPS Act. (NDPS Case No.125 of 2022)

And

In Re: ***Sankar Mondal @ Mandal***

... .. Petitioner

Mr. Anisur Rahaman

... .. for the petitioner

Mr. Ranadeb Sengupta

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about 14 months. Accordingly, he prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 5 ltrs. of *codeine mixture*, which is above commercial quantity from the petitioner. 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.)