

18.09.2023
Sl. No.7
akd
[Rejected]

C. R. M. (NDPS) 1299 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 Bagdah Police Station Case No.644 of 2022 dated 21.08.2022 under Sections 20(b)/21(c)/29 of the NDPS Act.

And

In Re: ***Sagar Kirtaniya***

... .. Petitioner

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

... .. for the petitioner

Mr. Saryati Datta

... .. for the State

1. Chemical examiner's report is placed on record. Report shows presence of *Ganja* and *codeine phosphate* in the sample.
2. Materials on record prima facie establish recovery of narcotics 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.
3. The application for bail is thus rejected.

(Ajoy Kumar Mukherjee, J.)

(Joymalya Bagchi, J.)