

27.07.2023.
15.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1321 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection N-101 of 2021 arising out of Jagaddal P.S. Case No.856 of 2021 dated 20.11.2021 under Sections 10(b)(ii)C/25/29 of the NDPS Act.

In the matter of : Karunakara Bag @ Karna.
... Petitioner.

Mr. Soujanya Badyopadhyay.
...for the Petitioner.

Mr. Saswata Gopal Mukherjee, Id. P.P.,
Mr. Ranadeb Sengupta.
...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 301 kgs. of ganja from the possession of the petitioner. Trial has progressed considerably. Four witnesses have already been examined and no case is made out for grant of bail on the ground of delay.

Hence, we are not inclined to grant bail to the petitioner on merits in view of statutory restrictions under Section 37 of the NDPS Act.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)