

25.09.2023.
05.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1502 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.229 of 2022 arising out of Jalangi P.S. Case No.364 of 2022 dated 22.11.2022 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

In the matter of : Sabina Bibi @ Sabina Bibi Mondal.
... Petitioner.

Mr. Ali Ahsan Alamgir,
Ms. Soma Mal,
Ms. Rabia Khatun,
Ms. June Modak.

...for the Petitioner.

Mr. Saryati Datta.

...for the State.

1. Heard the learned Advocates for the parties.

Chemical examiner's report is placed on record.

2. Chemical examiner's report shows presence of ganja in the sample. Quantity of narcotics recovered from petitioner and co-accused is to the tune of 29.825 kgs. of ganja which is above commercial quantity. Bail prayer of co-accused from whom recovery had been made was rejected whereas those from whom no recovered was made had been allowed. Petitioner stands in the former category as recovery was made from his possession.

3. Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

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

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)