

06.10.2023
Sl. No.2
akd
[Rejected]

C. R. M. (NDPS) 1569 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.09.2023 in connection with Lalgola Police Station Case No.29 of 2022 dated 25.01.2022 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.36 of 2022)

And

In Re: **Ananda Mondal @ Ananda Kumar Mandal**

... .. Petitioner

Mr. Arnab Chatterjee
Mr. Anisur Rahaman

... .. for the petitioner

Mr. Antarikhya Basu

... .. for the State

1. Pursuant to our earlier direction, Investigating Officer is personally present before this court. His presence is noted and dispensed with.
2. Chemical examiner's report is placed on record. Report shows presence of *Heroin* in the sample.
3. Materials on record prima facie establish recovery of narcotics i.e. 310 gms. of *Heroin*, which is above commercial quantity from the petitioner and another consignment of narcotics above commercial quantity from co-accused. 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.
4. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)