

16.10.2023
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sdas
rejected

C.R.M.(NDPS) No. 1706 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgola Police Station Case No. 141 of 2022 dated 04.05.2022 under Section 21(c) of the NDPS Act.

And
In Re : Johirul Islam petitioner

Mr. Tapodip Gupta
....for the petitioner

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan
..... for the State

1. Heard the learned Counsels for the parties.
2. We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 400 gms. of Heroin above commercial quantity from the possession of the petitioner.
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. The application for bail is, thus, rejected.
5. Trial court is requested to consider the issue of framing of charge at the earliest and in the event charge is framed to take the proceedings to its logical conclusion without granting any unnecessary adjournment to either of the parties.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)