

18.10.2023

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sdas
rejected

C.R.M.(NDPS) No. 1724 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kaliachak Police Station Case No. 1298 of 2022 dated 10.11.2022 under Sections 21(c))/29 of the NDPS Act and Section 25(1)(a) of Arms Act.

And

In Re : Sekat Sk. petitioner

Mr. Rana Mukherjee
Mr. Soumen Chatterjee
Mr. Habibur Rahaman
Ms. Jasika Alam
Mr. Archisman Sing

....for the petitioner

Mr. Saryati Datta

..... for the State

1. Learned Counsel for the petitioner submits recovery of narcotics was made from the house of Fajaruddin Biswas. He is in no way connected with dealing in narcotics. He prays for bail.

2. Learned Counsel for the State opposes the prayer for bail and submits petitioner was present with Fajaruddin Biswas at the time of recovery.

3. We have considered the materials on record. We have also considered the seizure list and the arrest memorandum. Petitioner was present at the place of recovery of narcotics above commercial quantity. He was arrested from the spot.

4. In view of the aforesaid incriminating materials disclosing his involvement in dealing in narcotics above

commercial quantity and in light of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

5. The application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)