

20.11.2023.
11.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1761 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.192 of 2022 arising out of Sagardighi P.S. Case No.406 of 2022 dated 28.08.2022 under Sections 21(c) of the NDPS Act.

In the matter of : **Ananda Barai.**

... Petitioner.

Mr. Abhra Mukherjee,
Mr. Sauradeep Dutta,
Mr. Swakshar Kr. Mondal.

...for the Petitioner.

Mr. Saryati Datta.

...for the State.

1. Petitioner is in custody for about 450 days. He submits he has been falsely implicated. He prays for bail.
2. Learned Advocate for the State opposes the bail prayer.
3. We have considered the materials on record. Statements of witnesses and contemporaneous documents show recovery of 5000 bottles containing phensedyl syrup from the petitioner.
4. 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.
5. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)