

30.11.2023
Sl. No.15
akd
[Rejected]

C. R. M. (NDPS) 1835 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.10.2023 in connection with Farakka Police Station Case No.90 of 2023 dated 13.02.2023 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.18 of 2023)

And

In Re: ***Abhishek Kumar @ Nanu & Anr.***

... .. Petitioners

Mr. Nepesh Majhi
Mr. Hemanta Kumar Das

... .. for the petitioner

Mr. Swapan Banerjee
Mr. Suman De

... .. for the State

1. Chemical examiner's report shows presence of *Heroin* in the sample.
2. Materials on record prima facie establish recovery of narcotics i.e. 340 gms. of *Heroin*, which is above commercial quantity from the joint possession of the petitioners. 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 petitioners.
3. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)