

30.11.2023
Sl. No.21
akd
[Rejected]

C. R. M. (NDPS) 1849 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 26.10.2023 in connection with Matia Police Station Case No.370 of 2021 dated 07.09.2021 under Section 21(c) of the NDPS Act.

And

In Re: ***Sabbir Hasan @ Sabir Hassan @ Sabbir Hossan***
... .. Petitioner

Mr. Shashanka Shekhar Saha
... .. for the petitioner

Mr. Arijit Ganguly
Mrs. Sonali Das
... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 6.5 ltrs. of *codeine mixture*, which is above commercial quantity from the petitioner. Trial is at its fag-end. Date has been fixed for examination of accused under Section 313 of the Code of Criminal Procedure. 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.
3. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)