

29.11.2023.
18.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1893 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection Special Case No.188 of 2022 arising out of Kaliachak P.S. Case No.1298 of 2022 dated 10.11.2022 under Sections 21(c)/29 of the NDPS Act read with Section 25(1)(a) of Arms Act.

In the matter of : **Farajuddin Biswas.**

... Petitioner.

Mr. Kazi M. Rahman.

...for the Petitioner.

Mr. Neguive Ahmed, Id. A.P.P.,

Mr. Sandip Chakraborty.

...for the State.

1. Petitioner is in custody for more than a year. 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 document i.e. seizure memorandum shows recovery of 263.98 gms. of heroin from the residence of the petitioner along measuring scale.

4. In view of the aforesaid incriminating materials and 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.)