

18.12.2023

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sdas  
rejected

C.R.M.(NDPS) No. 1927 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jiaganj Police Station Case No. 92 of 2023 dated 04.04.2023 under Sections 20(ii)(c) /29 of the NDPS Act.

And

In Re : Jostna @ Maleka Bibi @ Jyotsna Bibi @ Jyotshna Bibi .... petitioner

Mr. Tapodip Gupta

Mr. Suman Bhanja

....for the petitioner

Ms. Amita Gaur

..... for the State

1. Learned Counsel for the petitioner submits she has been falsely implicated in the case. She prays for bail.

2. Learned Counsel for the State opposes the prayer for bail.

3. We have considered the materials on record. Initially one kg. of Charas was recovered from the daughter of the petitioner and another co-accused. On her leading statement 4 kgs. of Ganja has been recovered. Materials on record show involvement of the petitioner and his family members with co-accused in dealing in narcotics above commercial quantity. 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.

4. Application for bail is, thus, rejected.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**