

19.12.2023.

Item No. 43

ap
(Rejected)

C.R.M. (NDPS) 1987 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.12.2023 in connection with Purulia Town Police Station Case No. 55 of 2023 dated 19.03.2023 under Sections 21(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Sk. Azad.

...Petitioner

Mr. Navanil De,
Mr. Rajeshwar Chakraborty,
Mr. Srinjan Ghosh,
Mr. Subhrajit Dey,
Ms. Monami Mukherjee.

...For the petitioner

Ms. Amita Gaur.

....For the State

1. Learned Advocate for the petitioner submits that his client was in custody in another case at the time of recovery of narcotics. Alleged recovery from his residence is false and concocted. He prays for bail.

2. Learned Advocate for the State opposes the prayer for bail and contends that the petitioner was arrested in a case of robbery and upon interrogation his house was searched. narcotics along with stolen property was recovered.

3. We have considered the materials on record. Recovery of narcotics from the residence of the petitioner was made in course of search in connection with another case. Recovery has been videographed.

4. In view of the aforesaid incriminating circumstances and the statutory restrictions under Section 37 of the NDPS Act, 1985, we are not inclined in granting bail to the petitioner.

5. The application for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)