

19.12.2023.

Item No. 48

ap
(Rejected)

C.R.M. (NDPS) 1993 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 Domkal Police Station Case No. 275 of 2022 dated 05.05.2022 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Dubhor Sk. @ Duvor Sekh. ...Petitioner

Md. Bani Israil. ...For the petitioner

Mr. Soumik Ganguli.For the State

1. The petitioner is in custody for 595 days. He contends that there has been slow progress in matter.

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

3. We have considered the materials on record. Statement of witnesses and contemporaneous documents show the recovery of Narcotics i.e. 100 bottles of phensedyl containing codeine phosphate also are commercial quantity from the possession of the petitioner. Co-accused, who have been granted bail, stands on a different footing as no narcotics was recovered from them.

4. In view of the aforesaid and statutory restrictions under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, we are not inclined to grant bail to the petitioner.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)