

20.12.2023
Sl. No.20
akd
[Rejected]

C. R. M. (NDPS) 2016 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 08.12.2023 in connection with Airport Police Station Case No.73 of 2022 dated 24.02.2022 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In Re: ***Roshan Paswan***

... .. Petitioner

Mr. Debasis Kar
Mr. H. Mustafi

... .. for the petitioner

Mr. Iqbal Kabir
Mr. Mirza Firoj Ahmed Begg

... .. for the State

1. It is submitted on behalf of the petitioner that the contraband is not *Ganja*. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail and submits chemical examination of the samples show presence of *Ganja*.
3. We have considered the materials on record. Samples drawn from the contraband tested positive to *Ganja*. Weight of the contraband i.e. 215 kgs. of *Ganja* is above commercial quantity. Trial is in progress. 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.
4. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

