

21.12.2023
tkm/ct 28
sl no. 38

C.R.M. (NDPS) 2054 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Techno City P.S. Case No. 126 of 2022 dated 6.7.2022 under sections 21(c)/28/29 of the NDPS Act,
And

In Re : Rehab Ali Molla petitioner

Mr. M H Chowdhury

..... for the petitioner

Mr. Sujan Chatterjee

..... for the State

1. Petitioner is in custody for about two years. He prays for bail.
2. Learned lawyer for the State submits bail prayer of co-accused was rejected in July 2023.
3. We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotic substance above commercial quantity from the petitioner and co-accused.
4. 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.
5. Accordingly, prayer for bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)