

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

27.02.2023
37.
as
(Rejected)

C.R.M. (NDPS) 167 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 94 of 2021 arising out of Bhaktinagar P.S. Case No.1286 of 2021 dated 01.10.2021 under Section 21(b)/22(b)/29 of the NDPS Act.

In the matter of : Md. Fakira.

... Petitioner.

Mrs. Matan Chakraborty.

...for the Petitioner.

Mr. Aditi Shankar Chakraborty, Id. A.P.P.,
Mr. Aniruddha Biswas.

...for the State.

Petitioner is in custody for 488 days. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Narcotics substance above commercial quantity was recovered from the petitioner. Chemical examiner's report has been placed on record.

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.

Accordingly, the prayer for bail of the petitioner is rejected.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)

