

05.03.2024.
27.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 431 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.38 of 2023 arising out of Nabagram P.S. Case No.103 of 2023 dated 23.03.2023 under Sections 22(c)/29 of the NDPS Act.

In the matter of : **Sukdeb Mishra.**

... Petitioner.

Mr. Debanshu Ghorai,
Mr. Anisur Rahman.

...for the Petitioner.

Mr. Jaydeep Biswas.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 29,500 methamphetamine tablets from petitioner. Date has been fixed for consideration of charge. It is contended petitioner and his wife are suffering from Aids.
3. 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.
4. Accordingly, the prayer for bail of the petitioner is rejected.
5. On the issue of his medical condition, we direct the Correctional Home Authorities to extend necessary medical treatment to the petitioner.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)