

16.04.2024
Sl. No.2
akd
[Rejected]

C. R. M. (NDPS) 527 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.03.2024 in connection with Sagardighi Police Station Case No.294 of 2023 dated 12.07.2023 under Sections 18(b)/29 of the NDPS Act. (NDPS Case No.78 of 2023)

And

In Re: ***Ebrahim Hossain @ Bidya***

... .. Petitioner

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Poulami Bose

... .. for the petitioner

Mr. Dipankar Mahata

... .. for the State

1. Clarificatory report is placed on record. Samples tested positive to *opium* derivative.
2. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotics above commercial quantity from the petitioner. Under such circumstances, we are not inclined to grant bail to the petitioner.
3. The application for bail is thus rejected.
4. Trial court is directed to consider the issue of framing of charge at the earliest.
5. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)