

05.04.2024
Sl. No.8
akd
[Rejected]

C. R. M. (NDPS) 607 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 27.03.2024 in connection with Petrapole Police Station Case No.44 of 2022 dated 10.02.2022 under Section 21(c) of the NDPS Act and Section 14 of the Foreigners Act.

And

In Re: ***Abdul Azit***

... .. Petitioner

Mr. Kamalesh Chandra Saha
Ms. Payel Mitra

... .. for the petitioner

Ms. Sreyashee Biswas
Ms. Mamata Jana

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 50 bottles of *phensedyl syrup*, which is above commercial quantity from the petitioner. He is a foreign national. 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.
3. The application for bail is thus rejected.
4. Trial court is directed to expedite the trial and conclude the same at an early date.
5. Parties shall communicate a copy of this order to the trial court for due compliance.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

