

12.04.2024
Sl. No.14
akd
[Rejected]

C. R. M. (NDPS) 640 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 28.03.2024 in connection with Katwa Police Station Case No.787 of 2022 dated 16.10.2022 under Sections 21(c)/27A/25/29 of the NDPS Act.

And

In Re: **Badsha Mallick**

... .. Petitioner

Mr. Dipankar Dandapath

... .. for the petitioner

Mr. Manoranjan Mahata

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Narcotics i.e. over 2 kgs. of *Ganja* was recovered from the petitioner. No narcotics was recovered from co-accused who are on bail. Hence, petitioner cannot claim bail on parity. Trial has commenced and one witness has been examined. 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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)