

02.01.2024.
12.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 2071 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.30 of 2023 arising out of Gangarampur P.S. Case No.126 of 2023 dated 27.03.2023 under Sections 21(c)/22(c)/23(c)/27A/28/29 of the NDPS Act read with Sections 14 of the Foreigners Act and charge sheet submitted under Sections 21(c)/22(c)/23(c)/27A/28/29 of the NDPS Act and read with Section 14A of the Foreigners Act.

In the matter of : **Aiyanal Ali @ Aynal Miya.**
... Petitioner.

Ms. Jeenia Rudra.
...for the Petitioner.

Mr. Suman De.
...for the State.

1. Petitioner submits no narcotics was recovered from his possession. He prays for bail.
2. Learned Advocate for State opposes the bail prayer.
3. We have considered the materials on record. Statement of Head Constable of BSF and other materials disclose involvement of the petitioner in trafficking narcotics. Bail prayer of co-accused has turned down in August, 2023.
4. 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.
5. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)