

22. 09.08.2021
Ct.32
Tanmoy
Dismissed

C.R.M. 2114 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **23/02/2021** in connection with **Hogalberia Police Station Case No. 171 of 2019** dated **21/09/2019** under Sections **20(b)(ii)(c)/29** of the N.D.P.S. Act.
And

In the matter of: - **Asadul Sk @ Ashadul Sk. & Anr.**
....petitioners.

Ms. Pampa Dey (Dhabal)
...for the petitioners.

Mr. Sanjay Bardhan,
Mr. Nirupam Dhali,
Mr. Arif Hossain
...for the State.

It is submitted on behalf of the petitioners that no narcotic substance was recovered from the petitioners. The co-accused, from whose house such substance was recovered, is in custody.

Learned Counsel for the State refers to the F.I.R. and charge-sheet wherefrom it *prima facie* appears that narcotic substance above commercial quantity was recovered from both the petitioners and they were arrested from the place of occurrence.

Considering the material in the Case Diary and in view of the fact that narcotic substance above commercial quantity was *prima facie* recovered from the possession of the petitioners and in view of the statutory restrictions under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, we are not inclined to grant bail to the petitioners at this stage.

Accordingly, the application for bail being C.R.M. 2114 of 2021 is **dismissed**.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)