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C.R.M. 3449 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **20/04/2021** in connection with **Bhimpur Police Station Case No. 113 of 2020** dated **04/06/2020** under Sections **21(C)/23** of the N.D.P.S. Act.

And

In the matter of: - **Arijit Biswas @ Mohitosh Biswas @ Arjit Biswas**

....petitioner.

Mr. Sumanta Das

...for the petitioner.

Mr. Rana Mukherjee,
Mr. Suman Saha,
Ms. Debjani Sahoo

...for the State.

It is submitted on behalf of the petitioner that the petitioner is in custody for about 480 days and charge-sheet has been submitted.

Learned Advocate for the State refers to the Case Diary and submits that 19 bottles of phensedyl (above commercial quantity) was recovered from the possession of the petitioner.

Upon consideration of the fact that 19 bottles of phensedyl, that is, contraband substance above commercial quantity were recovered from the possession of the petitioner, we are inclined to hold that in view of the statutory restrictions under Section 37 of the N.D.P.S. Act, 1985, the petitioner is not entitled to be enlarged on bail. Accordingly, the prayer for bail is rejected.

The application for bail being C.R.M. 3449 of 2021 is disposed of.

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

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)