

06.08.2021

Court No.28
Item No.16
(REJECTED)

Ab

CRM 3713 of 2021
(Via Video Conference)

In Re:- An application for bail under section 439 of the Code of Criminal Procedure filed on 04.05.2021 in connection with Kumarganj Police Station Case No. 153 of 2020 dated 22.09.2020 under Sections 21(c)/22(c)/23(c)/27(a) of the Narcotic Drugs and Psychotropic Substances Act;

And

In the matter of : **Saikul Molla and another.**

...Petitioners.

Ms. Jeenia Rudra.

...For the Petitioners

Mr. Sanjoy Bardhan,
Mr. Palash Chandra Majhi.

... For the State

The petitioners have filed the instant application for bail under Section 439 of the Code of Criminal Procedure in connection with Kumarganj Police Station Case No. 153 of 2020 under Sections 21(c)/22(c)/23(c)/27(a) of the Narcotic Drugs and Psychotropic Substances Act.

100 bottles of phensedyl containing 100ml. each were recovered from the joint possession of the petitioners at the time of raid and seizure. The petitioners are in custody for more than 350 days and seek for bail, as the charge-sheet has already been submitted.

The State opposes the prayer for bail.

After considering the submissions of respective Counsels and on perusal of materials on record and the fact that the commercial quantity of contraband was recovered from the joint possession of the petitioners and the petitioners being owners of the vehicle, we do not find that the petitioners have been able to make out a case taking

exception to Section 37 of the Narcotic Drugs and Psychotropic Substances Act.

The application for bail, being CRM 3713 of 2021, is thus **rejected**.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)