

450 11.11.2021
(AD)

Court No.29

(Rejected)

C.R.M. 4664 of 2021
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 12/07/2021 in connection with **N.D.P.S.** Case No.**35 of 2020** arising out of **South Port** P.S. Case No.**128 of 2020** dated **16/09/2020** under Sections **20(b)(ii)(c)/29** of the Narcotic Drugs & Psychotropic Substances Act.

And

In the matter of: Ganesh Ray

....petitioner.

Mr. Sandip Chakraborty
Mr. Koustav Das

... for the petitioner.

Mr. Sanjoy Bardhan
Ms. Manashi Roy

... for the State.

Petitioner seeks bail

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated.

Learned Advocate appearing for the State submits that commercial quantity of narcotic was seized from the exclusive possession of the petitioner.

Considering that commercial quantity of narcotic was seized from the possession of the petitioner, we are of the view that the petitioner is unable to rebut the presumption under Section 37 of the NDPS Act, 1985. Consequently, we are unable to grant bail to the petitioner.

Accordingly, the prayer for bail, C.R.M. 4664 of 2021, is rejected.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)