

CRM 4672 of 2021

In re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kaliachak Police Station** Case No. **542 of 2020** dated **10.07.2020** under Sections **21(c)/29** of the NDPS Act.

- A n d -

In the matter of : Md. Manirul Sk.

.... Petitioner.

Mr. A. K. Bhowmick,

... For the Petitioner.

Mr. S. Bardhan,
Mr. P. C. Majhi,

... For the State.

The petitioner says that there was no recovery of contraband item from him. He was co-incidentally present in the house from where recovery was made. He is not the owner of the house. He has been in custody for about one year. Charge sheet has been submitted.

The State produces the case diary. From the seizure list it appears that the recovery was from the joint possession of several persons, one of whom was the present petitioner. Commercial quantity of contraband item (258 grams of brown sugar) is involved. Hence, in view of the restrictions in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 we are not inclined to entertain the petitioner's prayer for bail.

Accordingly, the application for bail being CRM 4672 of 2021 is dismissed.

(Bivas Pattanayak, J.)

(Arijit Banerjee, J.)