

679. 16.11.2021

Ct.29

Tanmoy

Rejected

C.R.M. 4722 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of: - **Azahar Ali**

...petitioner.

Mr. Musharraf Alam Sk.

...for the petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta

...for the State.

The petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner was driving the vehicle from which the contraband is alleged to be seized, as the employed driver. The petitioner did not have any role in the transportation of the contraband.

Learned Advocate for the State submits that commercial quantity of narcotics was seized from the joint possession of the petitioner.

Considering that commercial quantity of narcotics was seized from the joint possession of the petitioner, we are of the view that the petitioner is unable to overcome the restrictions under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985. Consequently, prayer for bail is rejected.

Accordingly, the application for bail being C.R.M. 4722 of 2021 is dismissed.

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

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)