

C.R.M. 5014 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Balurghat** P.S. Case No. **157 of 2021** dated **17/03/2021** under Sections **20(b)(ii)(c)/22(c)/23(c)** of the Narcotic Drugs & Psychotropic Substances Act.

And

In the matter of: - Ashutosh Sen

....petitioner.

Ms. Bushra Khatoon

...for the petitioner.

Mr. Sanjay Bardhan,
Mr. Palash Chandra Ghosh

...for the State.

The petitioner has filed the instant application for bail in connection with Balurghat P.S. Case No. 157 of 2021 dated 17/03/2021 under Sections 20(b)(ii)(c)/22(c)/23(c) of the Narcotic Drugs & Psychotropic Substances Act.

The commercial quantity of contraband was recovered from the joint possession of the petitioner along with other co-accused.

In view of the recovery of contraband above commercial quantity, the petitioner comes within the ambit of Section 37 of the Narcotic Drugs & Psychotropic Substances Act. In view of the embargo created under the aforesaid provision of law, we are not inclined to grant bail to the petitioner.

As such, the prayer for bail is rejected.

Accordingly, the application for bail is dismissed.

(Rabindranath Samanta, J.)

(Harish Tandon, J.)