

10.11.2021
Court No.29
(reject)

C.R.M. 5364 of 2021

In Re: - An application for anticipatory bail under Section 439 of the Code of Criminal Procedure in connection with **Balurghat** P.S. Case No. 224 of 2020 dated **06/07/2020** under Sections 20 (b)(ii)(c)/ 22(c)/23(c) of the NDPS Act, 1985.

And

In the matter of: Madhu Sudan Barman @ Madhusudan Barman
....petitioner.

Ms. Busra Khatoon

...for the petitioner.

Mr. Saibal Bapuli

Mr. Bibaswan Bhattacharya

...for the State.

Petitioner seeks bail.

Heard the learned counsel for the State. Considering the fact that the vehicle from which the narcotic substance above commercial quantity was seized, belongs to the petitioner.

Learned Advocate appearing for the State submits that narcotic substance above the commercial quantity was recovered from the possession of the petitioner.

Considering that commercial quantity of narcotics was seized from the possession of the petitioner, we are of the view that the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, we are, therefore, unable to extend bail to the petitioner.

The application for bail being C.R.M. 5364 of 2021 is, thus, rejected.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)

