

16.11.2021  
Serial no.640

Aloke  
Ct. No. 29

**(Through Video Conference)**

**CRM 7214 of 2021**

In re : An Application for bail under Section 439 of the Code of Criminal Procedure filed on 07.10.2021 in connection with Domkal Police Station Case No. 623 of 2020 dated 20.10.2020 under Section 21(c)/29 of the NDPS Act.

-And-

In the matter of : **Mosaraf Ali Mondal**

**@ Babu @ Mosarap Ali Mondal**

**... ...Petitioner**

Mr. Tapodip Gupta, Advocate

... ... For the Petitioner

Mr. Sanjay Bardhan, Advocate

Ms. Baishali Chatterjee, Advocate

... ...For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the narcotics sought to be shown to be recovered from the possession of the petitioner was not witnessed by independent person.

Learned Advocate appearing for the State submits that narcotics of commercial quantity was seized from the possession of the petitioner. He submits that the next date fixed before the jurisdictional court is January 7, 2022 for framing of charge.

Considering the materials in the case diary and considering the fact that the narcotic substance of commercial quantity was recovered from the possession of the petition, we are of the view that the petitioner is not in a position to overcome the restrictions under Section 37 of the NDPS Act. Consequently, the prayer for bail is rejected.

CRM 7214 of 2021 is, accordingly, dismissed.

**(Debangsu Basak, J.)**

**(Ananda Kumar Mukherjee, J.)**