

674. 16.11.2021

Ct.29

Tanmoy

Rejected

C.R.M. 7340 of 2021

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

And

In the matter of: - **Rasidul Mondal**

...petitioner.

Mr. Jisan Iqubal Hossain

...for the petitioner.

Mr. Swapan Banerjee,

Mr. Suman De

...for the State.

The petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that no contraband was seized from the possession of the petitioner. The alleged recovery is at midnight and that too, on the basis of a statement of the petitioner while in custody.

Learned Advocate for the State submits that recovery was made pursuant to the statement made by the petitioner while in custody. The recovery was made from a place adjacent to the house belonging to the petitioner.

Considering the materials in the case diary and considering the fact that commercial quantity of narcotics was seized by the Police from a place which is adjacent to the house 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, we are unable to grant bail to the petitioner.

Accordingly, the prayer for bail being C.R.M. 7340 of 2021 is rejected.

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.)