

23.11.2021
Serial no.643
Dd

(Through Video Conference)

CRM 7342 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Minakhan** Police Station Case No. **136** of **2019** dated **27.06.2019** under **Sections 21(C)** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

-And-

In the matter of : Raju Boidya
... ..**Petitioner**

Mr. Prosenjit Mukherjee,
Mr. Saptarshi Chakraborty, Advocates
... .. For the Petitioner
Mr. Sanjoy Bardhan,
Mr. Palash Chandra Majhi, Advocate
... ..For the State

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits that considering the period of detention of the petitioner and the fact that no independent person witnessed the alleged seizure, the Court should consider the prayer for bail.

Learned advocate appearing for the State submits that commercial quantity of narcotics was seized from the exclusive possession of the petitioner.

Considering that commercial quantity of narcotics was seized from the possession of the petitioner, we are of the view that petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985. We are also of the view that there is hardly any change in circumstances subsequent to the earlier order of rejection dated November 27, 2020 warranting grant of bail to the petitioner.

Accordingly, we are not inclined to grant bail to the petitioner.

Prayer for bail is **rejected**.

CRM 7342 of 2021 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)