

28.01.2022
Serial no. 62
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(Through Video Conference)

CRM (NDPS) 48 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with NDPS case no. 93 of 2020 arising out of **Suti** Police Station Case No. **199** of **2020** dated **24.05.2020** under **Sections 21(c)/29** of the Narcotics Drugs & Psychotropic Substances Act, 1985.

-And-

In the matter of : Hasan Mahaldar @ Habil Sk.
@ Habil Mahaldar**Petitioner**

Mr. Maidul Islam Koyal
... .. For the Petitioner

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta
... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner has been falsely implicated.

Learned advocate appearing for the State opposes the prayer for bail and submits commercial quantity of narcotic was seized from the possession of the petitioner.

Considering the fact that the commercial quantity of narcotic was seized from the possession of the petitioner in the present case and considering the involvement of the petitioner herein as appearing from the materials on record, we are of the view that the petitioner is unable to rebut the presumption under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985. Consequently, we are not inclined to grant bail to the petitioner.

Prayer for bail is rejected.

CRM (NDPS) 48 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)