

28.01.2022

Serial no. 79

Dd

(Through Video Conference)

CRM(NDPS) 65 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Balurghat** Police Station Case No. **491** of **2020** dated **09.12.2020** under **Sections 411/414/188/224** of the Indian Penal Code read with Sections **21(C)/22(C)/23(C)/25/27A/28/29** of the Narcotic Drugs and Psychotropic Substances Act, and Sections **11(1)(d)/(e)/(f)** of Prevention of Cruelty of the Animals Act (Special Case no. **88** of **2020**).

-And-

In the matter of : Paban Mondal

... ..Petitioner

Ms. Busra Khatun, Advocate

... .. For the Petitioner

Mr. Sanjoy Bardhan,

Mr. Nirupam Dhali, Advocates

... ..For the State

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits that considering the period of detention, prayer for bail should be granted.

Learned advocate appearing for the State submits that commercial quantity of narcotic was seized from the possession of the petitioner. The other co-accused are absconding. The police filed charge sheet along with chemical report.

This is the third application for grant of bail. Two previous applications were rejected. Considering the fact that commercial quantity of narcotic 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. There is hardly any change in circumstances subsequent to the earlier order of rejection.

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

Prayer for bail is **rejected**.

CRM(NDPS) 65 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)