

18.02.2022
Item No.34
Court No.32
ss

C.R.M. (NDPS) 74 of 2022

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

And

In Re: Sariul Sk.

... Petitioner.

Mr. Mrityunjoy Chatterjee
Ms. Debapriya Majumder

... for the Petitioner.

Mr. Sanjay Bardhan
Mr. Nirupam Dhali

... for the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with Kaliachak P.S. Case No. 918 of 2021 dated 02.09.2021 under Sections 22(c)/29 of the Narcotic Drugs and Psychotropic Substance Act.

Heard the learned Advocates appearing for the respective parties and considered the materials in the case diary.

It appears that contraband substance above commercial quantity was recovered from the possession of the petitioner and another co-accused person and as such the statutory restrictions are clearly attracted. In view thereof, we are not inclined to exercise discretion in favour of the petitioner and his prayer for bail is refused, at this stage.

However, the prosecution is directed to take immediate step to obtain the F.S.L. report and to file the supplementary charge sheet, if any, so that the trial may commence.

With the aforesaid observations, the application for bail, being CRM (NDPS) 74 of 2022, is dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)