

02.02.2022

Serial no. 57

Dd

CRM (NDPS) 131 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Katwa** Police Station Case No. **48** of **2019** dated **29.01.2019** under Sections **21(C)** of the Narcotic Drugs and Psychotropic Substances Act, 1985. Charge sheet no. 139 of 2019 dated 23.05.2019 under Section **21(C)** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

-And-

In the matter of : Sri Sanjeet Adhikari @ Sanjeet Adhikary
... ..**Petitioner**

Mr. Sanjib Seth, Advocate
... .. For the Petitioner
Mr. Neguive Ahmed, Id. APP
Ms. Amita Gaur, Advocates
... ..For the State

Petitioner renews the prayer for bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody in excess of 1084 days. The police filed charge sheet. He contends that seizure list does not contain any specific quantity of seizure.

Learned Additional Public Prosecutor submits that 1550 ml. of narcotic was seized from the possession of the petitioner. He submits that the trial is in progress.

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, 1985.

Consequently, we are not inclined to grant bail to the petitioner. Moreover there is hardly any change in circumstances subsequent to the earlier order of rejection.

Prayer for bail is **rejected**.

CRM (NDPS) 131 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)