

03.02.2022

Sl. 39

Court No.29

suvayan

(Rejected)

C.R.M. (NDPS) 143 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 28.01.2022 in connection with **Nakashipara** Case No. **355/2021** dated **25/07/2021** under Sections **21(C)/29** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: Moti Sk

....petitioner.

Mr. Kusal Kumar Mukherjee

...for the petitioner.

Mr. Ranabir Ray Chowdhury

Mr. Mainak Gupta

...for the State.

Petitioner renews the prayer for bail.

Learned Advocate appearing for the petitioner highlights the medical condition of the petitioner subsequent to the earlier order of rejection.

Learned Advocate appearing for the State submits that the medical condition as claimed by the petitioner is not appearing from the materials available either in the petition or in the case diary.

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 Narcotic Drugs and Psychotropic Substances Act, 1985.

There is hardly any change in circumstances subsequent to the earlier order of rejection.

In such circumstances, we are unable to grant bail to the petitioner.

Accordingly, the prayers for bail of the petitioner is rejected.

C.R.M. (NDPS) 143 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

