

(Through Video Conference)

CRM (NDPS) 149 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 Berhampore Police Station Case No. 165 of 2020 dated 13.02.2020 under Sections 21(c) of the NDPS Act.

-And-

In the matter of : **Md. Jahiruddin Sk**

... ...Petitioner

Mr. Ali Ahsan Alamgir, Advocate

Ms. Riya Das, Advocate

Ms. Rabia Khatoon, Advocate

... ... For the Petitioner

Mr. Sanjay Bardhan, Advocate

Ms. Baishakhi Chatterjee, Advocate

... ... For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that considering the period of detention of the petitioner to be in excess of two years and considering the stage of the trial, the prayer for bail should be considered.

Learned Advocate appearing for the State submits that commercial quantity of narcotic was seized from the possession of the petitioner. Out of twelve prosecution witnesses, six were examined.

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, CRM (NDPS) 149 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)