

10.02.2022

Sl. 38

Court No.29

sourav

(Rejected)

C.R.M. (NDPS) 178 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **07.02.2022** in connection with **NCB** Crime No. **33** of **2018** dated **11.07.2018** under Sections **20(b)(ii)(C)/29** of NDPS Act, 1985 corresponding to NDPS Case No. 127 of 2018.

And

In the matter of: **Mithu Roy.**

....petitioner.

Mr. Sk. Toslim Ali

...for the Petitioner.

Mr. Y. J. Dastoor, Ld. ASG

Mr. Phiroze Edulji

...for the Union of India.

Petitioner seeks bail.

Union of India is represented by the learned Additional Solicitor General.

Considering the fact that commercial quantity of narcotic was recovered from the possession of the petitioner and considering the fact that the trial is in progress, 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 unable to grant bail to the petitioner.

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

C.R.M. (NDPS) 178 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

