

31.03.2022
Serial no.44
[Dd]
(Bail **Rejected**)

CRM 1110 of 2021

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Chandannagar** Police Station Case No. **94** of **2020** dated **18.09.2020**, N.D.P.S. 49 of 2020 under Section **21(C)** of the NDPS Act.

-And-

In the matter of : Sanjib Biswas @ Sanjit Petitioner

Mr. Sekhar Basu, Learned Senior Advocate
Mr. Narayan Debnath,
Mr. Abnhishek Choudhary, Advocates
... .. For the Petitioner

Mr. Sanjoy Bardhan,
Mr. Palash Ch. Majhi, Advocate
... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner was shown arrested in the present police case. A statement was extracted from the petitioner and commercial quantity of narcotic was shown to be recovered from a abandoned place. The petitioner was falsely implicated in the present case.

Learned advocate appearing for the State submits that the petitioner was interrogated late into the night on September 17, 2020 where the petitioner made a statement which was recorded on September 18, 2020 which would be just after the mid-night on September 17, 2020. The recovery was made on his leading statement in presence of the petitioner between 3:25 hours of September 18, 2020 and 4:15 hours. Commercial quantity of narcotic was recovered on the leading statement of the petitioner.

Considering the fact that commercial quantity of codiene mixture was recovered on the statement made by the petitioner and considering the criminal antecedent 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.

Prayer for bail of the petitioner is **rejected**.

CRM 1110 of 2021 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)