

CRM (NDPS) 188 of 2022

In re : An Application for bail under Section 439 of the Code of Criminal Procedure filed on 09.02.2022 in connection with Amdanga P.S. Case No. 296 of 2020 dated 09.05.2020 under Section 21(b) of the NDPS Act.

-And-

In the matter of : **Hafijur Rahaman @ Habu**

... ...Petitioner

Mr. Ivan Roy, Advocate

... ... For the Petitioner

Mr. Sanjay Bardhan, Advocate

Ms. Manisha Sharma, Advocate

... ... For the State

Petitioner prays for bail.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody for 640 days. The police filed charge-sheet and, therefore, continued detention of the petitioner is not required.

Learned Advocate appearing for the State submits that commercial quantity of narcotic was seized from the possession of the petitioner. The jurisdictional Court fixed March 23, 2022 as the date for recording of the prosecution evidence.

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 unable to grant bail to the petitioner.

CRM (NDPS) 188 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)