

39 25.02.2022
(AD) Court No.29

(Rejected)

C.R.M. (NDPS) 209 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Malda** P.S. Case No.**359 of 2020** dated **29/06/2020** under Sections **21(C)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985 read with Sections **18(b)/27** of the Drugs and Cosmetics Act, 1940.

And

In the matter of: Asirul @ Hasirul Sekh

....petitioner.

Mr. Avinaba Patra
Mr. Partha Sarathi Das
Mr. Souraja De

...for the petitioner.

Mr. Sanjoy Bardhan
Mr. Palash Chandra Majhi

... for the State.

Report as called for by the order dated February 18, 2022
filed in Court be taken on record.

It appears from the report that the petitioner is suffering
from a medical condition.

In such circumstances, it would be appropriate to
request the Superintendent of Correctional Home where the
petitioner is lodged to extend appropriate medical facilities to
the petitioner commensurate with his medical condition.

Considering the fact that the commercial quantity of
narcotics 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.

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

C.R.M. (NDPS) 209 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)