

28.02.2022
Serial no. 47
Aloke
Ct. No. 29

CRM (NDPS) 239 of 2022

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 18.02.2022 in connection with Illambazar P.S. Case No. 106 of 2019 dated 13.06.2019 under Sections 21(c) of the NDPS Act.

-And-

In the matter of: Bhadu Sk @ Sk. Golam Rasul
... ...Petitioner

Mr. Sujay Sarkar, Advocate

... ... For the Petitioner

Mr. Ranadeb Sengupta, Advocate

... ...For the State

Petitioner seeks bail.

Learned Advocate appearing for the petitioner submits that the petitioner was falsely implicated. No narcotic was recovered from the possession of the petitioner,

Learned Advocate appearing for the State submits that on the leading statement made by another co-accused while in custody commercial quantity of narcotics were recovered from the house of the petitioner. The co-accused and the petitioner are brothers.

Considering the fact that commercial quantity of narcotic was recovered from the house belonging to 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) 239 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)