

07.03.2022
Sl. 47
Court No.29
sourav
(Rejected)

C.R.M. (NDPS) 256 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **22.02.2022** in connection with **South Port** P.S. Case No. **128** of **2020** dated **16.09.2020** under Sections **20(b)(ii)(c)/29** of the NDPS Act.

And

In the matter of: **Ganesh Ray**

....petitioner.

Mr. Sk. Md. Ashik Iquebal

...for the petitioner.

Mr. Sanjoy Bardhan

Ms. Baishakhi Chatterjee

...for the State.

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the petitioner is in custody for 539 days. The petitioner was the driver of the vehicle from where the commercial quantity of narcotic was seized. The petitioner was mainly a hired driver.

State is represented.

Considering the fact that commercial quantity of narcotic was recovered from the vehicle which the petitioner was driving, we are of the view that the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.

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

C.R.M. (NDPS) 256 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

