

22.03.2022
Serial no.47
[Dd]
(Bail Rejected)

CRM (NDPS) 302 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Ashoknagar** Police Station Case No. **582** of **2021** dated **05.08.2021** under Sections **21(C)/29** of the Narcotic Drugs and Psychotropic Substances Act
-And-

In the matter of : Uttam BanikPetitioner

Mr. Sourav Chatterjee,
Mr. Aditya Tiwari
Mr. Gopal Das, Advocates
... .. For the Petitioner

Mr. Sanjoy Bardhan,
Ms. Baishaki Chatterjee, Advocates
... ..For the State

Petitioner seeks bail.

Learned advocate appearing for the petitioner draws the attention of the Court to the seizure list. He submits that he was inadvertently present at the site when the seizure took place.

Learned advocate appearing for the State submits that the police seized the commercial quantity of narcotic from the joint possession of the petitioner. The police filed charge sheet.

Considering the fact that commercial quantity of narcotic was seized from the joint possession of the petitioner, we are of the view that the petitioner is unable to overcome the restrictions under Section 37 of the N.D.P.S. Act, 1985.

Consequently, we are not inclined to grant bail to the petitioner.

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

CRM (NDPS) 302 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)