

24.03.2022
Sl. 33
Court No.29
sourav
(Rejected)

C.R.M. (NDPS) 311 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **21.03.2022** in connection with **Debra** P. S. Case No. **244** dated **09.06.2020** under Sections **20(b)(ii)(c)** of the NDPS Act.

And

In the matter of: **Subrata Ray @ Subrat Ray**

....petitioner.

Mr. Jaydeep Biswas,
Mr. Soumyadeep Das,
Mr. Kaushik Ghosh,
Mr. Rashin Singh,

...for the petitioner.

Mr. Saibal Bapuli, Ld. APP,
Mr. Bibaswan Bhattacharya

...for the State.

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the driver of the vehicle along with other co-accused were granted bail either by this Hon'ble Court or by the jurisdictional Court. The petitioner was falsely implicated.

Learned advocate appearing for the State submits that the petitioner was arrested along with the commercial quantity of narcotics. His signature appears in the seizure list.

Considering the fact that commercial quantity of narcotics was recovered from the joint possession of the petitioner, we are of the view that the petitioner does not stand on the same footing as that of the other co-accused who was granted bail. Moreover, the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.

Consequently, we are unable to grant bail the petitioner.

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

C.R.M. (NDPS) 311 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

