

07.04.2022
Serial no.31
[Dd]
(Bail **Rejected**)

CRM (NDPS) 354 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Kaliyaganj** Police Station Case No. **360** of **2021** dated **23.04.2021** under Sections **21, 22 & 23** of the Narcotic Drugs and Psychotropic Substances Act, 1985 Spl. NDPS Case No. **49 of 2021**.

-And-

In the matter of : Mansur Ali**Petitioner**

Mr. Kushal Paul, Advocate
... .. *For the Petitioner*

Mr. Ranadeb Sengupta, Advocate
... ..*For the State*

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the trial is in progress. The seizure list witness, according to him, did not establish the seizures made.

Learned advocate appearing for the State refers to the materials in the case diary.

Commercial quantity of narcotic was recovered from the joint possession of the petitioner. The trial is in progress.

Consequently, we are of the view that the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985. The evidentiary value of the evidence of the seizure witnesses are to be evaluated at the trial.

In the circumstances, we are not inclined to grant bail to the petitioner.

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

CRM (NDPS) 354 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)