

12.04.2022

Sl. 40

Court No.29

suvayan

(rejected)

CRM (NDPS) 371 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 07.04.2022 in connection with **Kaliachak** P.S. case No. **40 of 2021** dated **09/01/2021** under Sections **21(c)/29** of the Narcotic Drugs and Psychotropic Substances Act 1985.

And

In the matter of: Abdul Kuddus & Anr.

....petitioners.

Mr. Mrityunjoy Chatterjee

...for the petitioners.

Mr. Ranadeb Sengupta

...for the State.

Petitioners seek bail.

Considering the fact that the recovery was made from the house where the petitioners used to stay and considering the fact that the petitioners are the near family members of the person who was arrested with the commercial quantity of narcotic, the petitioners can be said to be in conscious possession of such narcotics, we are of the view that the petitioners are unable to overcome the restrictions under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Consequently, we are unable to grant bail to the petitioners.

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

C.R.M. (NDPS) 371 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)