

20.04.2022

Sl. 44

Court No.29

suvayan
(rejected)

CRM (NDPS) 393 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.04.2022 in connection with **Chinsurah** P.S. case No. **298 of 2020** dated **01/10/2020** under Section **21(C)** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: Deep Sarkar & Anr.

....petitioners.

Ms. Anasuya Sinha
Mr. Avishek Sinha
Ms. Jonaki Saha

...for the petitioners.

Mr. Sanjoy Bardhan
Ms. Baishakhi Chatterjee

...for the State.

Petitioners seek bail.

Learned Advocate appearing for the petitioners submits that the health conditions of the two petitioners should be taken into consideration for the purpose of granting bail. She submits that the petitioner No.2 developed suicidal tendencies and attempted to commit suicide twice. The petitioner No.1 developed infection on the ear lobe.

Learned Advocate appearing for the State draws the attention of the Court to the materials in the case diary. He submits that commercial quantity of narcotic seized from the joint possession of the petitioners. The medical conditions of the petitioners are being attended to at the correctional home.

Considering the fact that commercial quantity of narcotic was seized from the joint possession of the petitioners, 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.

So far as the medical conditions of the petitioners are concerned, they are being attended to the correctional home. We request the Superintendent of the correctional home where the petitioners are lodged to ensure adequate medical facilities to the petitioners in respect of their medical conditions, if there be any.

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

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

C.R.M. (NDPS) 393 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)