

15.02.2022
Sl. 76
Court No.29
sourav
(Rejected)

C.R.M. 3117 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **05.04.2021** in connection with **Farakka** P.S. Case No. **135** of **2020** dated **17.06.2020** under Sections **21(c)/29** of the NDPS Act (NDPS Case No. **114** of **2020**).

And

In the matter of: **Bhutu Ghosh @ Gour @ Gour Ghosh**

....petitioner.

Mr. Tapodip Gupta

...for the petitioner.

Mr. Sanjoy Bardhan
Ms. Manisha Sharma

...for the State.

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that charges were framed without the prosecution submitting the Chemical Examination Report.

Learned advocate appearing for the State submits that the learned jurisdictional court fixed dates for recording of evidence. He submits that commercial quantity of narcotic was seized from the joint possession of the petitioner.

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

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

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

C.R.M. 3117 of 2021 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

