

18.05.2022
Serial no.54
[Dd]
(Bail **Rejected**)

CRM (NDPS) 438 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **NDPS Case No. N 116/2019** arising out of case No. F. No. VIII (10) 67/EXP/CL/BSF/PPU/2019-20/ Seizure Case No. 10/EXP/CL/BSF/PPU/2019-20 dated 31.01.2019 under Sections **21(C)** of the NDPS Act.

-And-

In the matter of : Sri Bivuti Biswas
... ..**Petitioner**

Mr. Angsuman Chakraborty, Advocate
... .. *For the Petitioner*

Ms. Rajashree Venket Kundalia, Advocate
... ..*For the Customs*

Report as called for by the order dated May 4, 2022 filed in Court be taken on record.

Report does not speak of any alarming medical condition of the petitioner requiring the grant of bail in a case involving NDPS Act, 1985.

The petitioner was arrested with the commercial quantity of narcotic.

Consequently, 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 not inclined to grant bail to the petitioner.

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

CRM (NDPS) 438 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)