

04.05.2022
Serial no.40
[Dd]
(Bail **Rejected**)

CRM (NDPS) 439 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with NDPS case no. **24 of 2020** arising out of **STF** Police Station Case No. **18** of **2020** dated **18.05.2020 [G.R. (S) No. 723 of 2020]** under Sections **21(c)/29** of the NDPS Act.

-And-

In the matter of : Mukesh Saroj & Anr. Petitioners

Mr. Sambhunath De, Advocate
... .. For the Petitioners

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee, Advocates
... ..For the State

Petitioners pray for bail.

Learned advocate appearing for the State submits that commercial quantity of narcotic was recovered from the joint possession of the petitioners. The trial is in progress. The prosecution witnesses are being examined.

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 NDPS Act, 1985.

Consequently, we are not inclined to grant bail to the petitioners.

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

CRM (NDPS) 439 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)