

Serial no.30

(Bail Rejected)

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Bidhannagar South** Police Station Case No. **3** of **2022** dated **05.01.2022** under Sections **21(C)/29** of the NDPS Act, 1985 (Subsequently charge sheet submitted under Sections **21(C)/29** of the NDPS Act, 1985)

-And-

... ..**Petitioner**

Mr. Ranadeb Sengupta, Advocate
... ..For the State

Learned advocate appearing for the petitioner submits that the alleged seizure list was made from a place which is not described in the seizure list. He refers to the seizure list. He submits that there are discrepancies between the materials seized and the recording in the order dated January 6, 2022 of the learned Sessions Court. He refers to the Central Forensic Laboratory Test report. He questions the materials seized.

The issues sought to be raised by the petitioner at this stage are to be tried at the trial, if so raised.

Commercial quantity of narcotic was seized from the possession of the petitioner. Consequently, we are of the

view that the petitioner is unable to overcome the restrictions 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) 458 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)