

13.05.2022
Serial no.47
[Dd]
(Bail **Rejected**)

CRM (NDPS) 468 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **NDPS 61/2020** corresponding to **Lalgola** Police Station Case No. **129** of **2020** dated **26.02.2020** under Sections **21(c)** of the NDPS Act.

-And-

In the matter of : Goutam Mondal

... ..Petitioner

Mr. Sekhar Kr. Basu, Id. Sr. adv.
Mr. Kusal Kr. Mukherjee, Advocates
... .. For the Petitioner

Mr. Ranabir Ray Chowdhury,
Mr. Mainak Gupta, Advocates
... ..For the State

Petitioner seeks bail.

Learned senior advocate appearing for the petitioner submits that the petitioner was involved in another police case relating to narcotic where the petitioner was enlarged on anticipatory bail. In compliance with one of the conditions for grant of anticipatory bail, the petitioner visited the local police station on February 25, 2020. He left such police station after reporting to the Investigating Officer. He was called back to the police station where he was detained at the police station illegally, shown arrested on February 26, 2020 and produced before the jurisdictional court on February 27, 2020. The petitioner is in detention since then. The wife of the petitioner lodged two complaints with the police on February 26, 2020 itself. He refers to the communication of the District Magistrate dated July 15, 2020. The petitioner was falsely implicated.

Learned advocate appearing for the State submits that the petitioner was arrested on February 26, 2020 with commercial quantity of narcotic. He refers to the seizure list in this regard. He submits that the seizure was done on the basis of the source information.

There are materials in the case diary implicating the petitioner. The petitioner was arrested with 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) 468 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)