

18.05.2022
Serial no.56
[Dd]
(Bail **Rejected**)

CRM (NDPS) 478 of 2022

In re : An Application for **Bail** under Section **439** of the Code of Criminal Procedure in connection with **Beldanga** Police Station Case No. **291** of **2021** dated **26.06.2021** under Sections **22(C)/29** of the NDPS Act.

-And-

In the matter of : Sain Sk @ Sahin Sk
... ..**Petitioner**

Mr. Robiul Islam
Ms. Pramita Banerjee, Advocates
... .. *For the Petitioner*

Mr. Neguive Ahmed, Id. APP
Ms. Amita Gaour, Advocates
... ..*For the State*

Petitioner seeks bail.

Learned advocate appearing for the petitioner submits that the jurisdictional Court framed charges without the chemical examination report being submitted.

Learned Additional Public Prosecutor submits that the chemical examination report yet to be submitted before the jurisdictional Court as the same was collected subsequently.

The order of taking cognizance by the jurisdictional Court and the order of framing of charges are yet to be assailed by the petitioner.

Considering the fact that commercial quantity was seized from the possession of the petitioner 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) 478 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)