

26.5.2022
Court No.5
Sl. No. 3
GB/SD

CRM (NDPS) 520 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **20.5.2022** in connection with **Baduria** Police Station Case No. **167** of **2021** dated **22.3.2021** under Sections **21(c)/29** of the NDPS Act.

And

In the matter of: **Bablu Sardar**

....petitioner.

Mr. Shashanka Shekhar Saha

...for the petitioner.

Md. Anwar Hossain

Mr. M.F.A. Begg

... for the State.

Learned counsel for the petitioner submits that the petitioner is behind the bar for one year and two months and ought to be enlarged on bail. It is contended that the trial has not yet begun, thereby causing immense hardship to the petitioner since the petitioner is in incarceration.

Upon hearing learned counsel for the parties, including the State, we are of the opinion that no circumstance to mitigate the rigours of Section 37 (1)(b)(ii) of the NDPS Act have been made out prima facie.

Hence, we are not inclined to grant bail to the petitioner as prayed for.

Accordingly, CRM (NDPS) 520 of 2022 is rejected.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)