

02.6.2022
2
SB
Ct. No.5
(Vacation Bench)

CRM (NDPS) 541 of 2022

In the matter of : Utpal Sarkar @ Shiba

Mr. Kalyan Kumar Bhattacharjee
... for the petitioner

Mr. Sanjoy Bardhan
Ms. Debjani Dasgupta ... for the State

Learned counsel appearing on behalf of the petitioner submits that petitioner is the purported owner of the vehicle in question. He is in custody of 202 days. Charge sheet has already been submitted.

Learned counsel appearing on behalf of the State submits that a commercial quantity of contraband was recovered from the joint possession of the petitioner and the co-accused.

We have heard the submissions of the learned counsels for the parties and have perused the case diary.

In view of the fact that a commercial quantity of contraband was allegedly recovered from the joint possession of the petitioner and another, and considering the restriction contained in Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner at this stage.

However, the Investigating Officer shall take appropriate steps to expedite the further investigation and collect the chemical report in question.

With these observations, the application for bail is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Sugato Majumdar, J.)

(Jay Sengupta, J.)