

26.04.2022
Serial no.81
Aloke
Ct. No. 29

CRM 4394 of 2021

In re : An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 28.06.2021 in connection with NCB Crime No. 16/NCB/KOL/2020 under Sections 20(b)(ii) (C)/21(c)/23(c)/25/27(a)/28/29 of the NDPS Act.

-And-

In the matter of: **Biswanath Das**

... ...Petitioner

Mr. Milan Mukherjee, Sr. Advocate

Mr. Biswajit Manna, Advocate

... ... For the Petitioner

Mr. Kallol Mondal, Advocate

Ms. Mary Datta, Advocate

... ... For the NCB

Petitioner prays for bail.

Learned Advocate appearing for the petitioner submits that the petitioner possesses a valid drug licence.

Learned Advocate appearing for the NCB submits that commercial quantity of narcotic was seized from the residence of the petitioner in respect of which, the petitioner does not possesses any licence.

Considering the fact that commercial quantity of narcotic 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 unable to grant bail to the petitioner.

CRM 4394 of 2021 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)