

01.08.2022
cm/ct 28

C.R.M. (NDPS) No. 676 of 2022

sl. no. 2

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Raninanagar P.S Case No. 64** dated **05.02.2021** under Sections **21 (C)** of the N.D.P.S. Act.

Rejected

And

In Re : Sikandar Ali

..... petitioner

Mr. Shataroop Purkayastha
Ms. Jagriti Bhattacharya

..... for the petitioner

Mr. Tapandeb Nandy
Mr. Antarikhya Basu

..... for the State

Report is placed on record.

It appears from the chemical examiner's report that the seized contraband contains narcotic substance.

Learned lawyer for the petitioner submits he is in custody for over 500 days. It is submitted that petitioner is not the owner of the vehicle which was used to transport narcotic substance.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner appears to be the owner of the vehicle which was used to transport narcotic substance above commercial quantity. Chemical examiner's report corroborates such allegation.

In view of the aforesaid incriminating materials and in the light of the statutory restrictions under Section 37 of the N.D.P.S. Act, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

