

68
(AD)

02.03.2022

Court No.29

(Rejected)

C.R.M. 5365 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Basirhat** P.S. Case No.**1044** dated **14/09/2020** under Section **21(C)** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Hamid Sardar

....petitioner.

Mr. Sanjib Kumar Dan

Mr. Saryati Dutta

Mr. Santanu Talukdar

...for the petitioner.

Mr. Swapan Banerjee

Mr. Suman De

... for the State.

Report as called for by the order dated December 7, 2021
filed in Court be taken on record.

It appears from the report that the police submitted the
chemical examination report before the trial court.

Since the commercial quantity of narcotic was recovered
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.

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

C.R.M. 5365 of 2021 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)