

05.07.2022  
cm/ct 28

**C.R.M. (NDPS) No. 731 of 2022**

sl. no. 6

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Farakka P.S Case No. 222 of 2021** dated **19.08.2021** under Sections **20(b)(ii)(c )/29** of the N.D.P.S. Act.

Rejected

And

In Re : Ujjal Basak @ Parimal Basak

..... petitioner

Mr. Faijur Rahaman

..... for the petitioner

Mr. S. Mondal, Ld. A.P.P.

Mr. Antarikhya Basu

Ms. Amrita Tewari

..... for the State

It is submitted on behalf of the petitioner that no narcotic substance was recovered from his possession. He is in custody for 36 days.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Recovery was made from the residence of one Krishna Basak, brother of the petitioner. Statement of witnesses show petitioner and one Ananda Basak fled away from the house.

In view of the aforesaid materials on record, connecting the petitioner and co-accused in dealing with narcotic substance which is above commercial quantity 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.)**

