

07.07.2022
cm/ct 28

C.R.M. (NDPS) No. 741 of 2022

sl. no. 6

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Sagarpara P.S Case No. 185 of 2021** dated **26.10.2021** under Sections **21 (C)/20(b)** of the N.D.P.S. Act.
And

Rejected

In Re : Mohasin Ali

..... petitioner

Mr. Faijur Rahaman

..... for the petitioner

Mr. Sanjoy Bardhan
Ms. Debjani Dasgupta
Mr. M. Sarkar

..... for the State

Petitioner submits that no recovery was made from his possession. He is in custody for more than nine months.

Learned lawyer for the State opposes the prayer for bail. He submits petitioner was in possession of the room where narcotic substance was recovered.

We have considered the materials on record. Statements of witnesses and contemporaneous document namely, seizure list disclose recovery of narcotic substance i.e. 118 bottles of phensedyl syrup from the room occupied by the petitioner. Personal belongings like Adhar card etc. were also recovered from the spot.

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.)

