

18.10.2022

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RKB/adeb

C.R.M. (NDPS) 1221 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Belghoria** Police Station Case No. **497 of 2021** dated **25.07.2021** under Sections **20 (b) (ii) (c)** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Hari Arjun Bidika

....petitioner.

Mr. Angshuman Chakraborty

...for the petitioner.

Mr. Joydip Roy

Mr. Pratick Bose

...for the State.

Petitioner prays for bail.

Learned advocate appearing for the petitioner submits that no recovery was made from the possession of the petitioner.

The police filed charge-sheet

Learned advocate appears for the State submits that three vehicles were apprehended from which commercial quantity of narcotics was seized. The petitioner is one of the owners of such vehicle. He point out that, there is secret compartment in the vehicle owned by the petitioner.

In the facts of the present case, constructive possession of the petitioner in respect of the commercial quantity of narcotics seized cannot be overlooked.

In such circumstances, the petitioner is unable to overcome the restrictions under Section 37 of the Narcotic Drugs and Psychotropic Substances 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. (NDPS) 1221 of 2022 is dismissed.

(Debangsu Basak, J.)

(Ajay Kumar Gupta, J.)

(Bibhas Ranjan De, J.)