

18.10.2022

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RKB/adeb

**C.R.M. (NDPS) 1236 of 2022**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kaliaganj** Police Station Case No. **274 of 2019** dated **05.11.2019** under Sections **20 (b) (ii) (c)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985 and 25 (i)(a)/27 Arms Act.

And

In the matter of: Subir Swarnakar.

....petitioner.

Mr. Jisan Iqubal Hossain

...for the petitioner.

Md. Anwar Hossain

Ms. Puspita Saha

...for the State.

Commercial quantity of narcotics was seized from the possession of the petitioner.

The trial is in progress.

It is claimed that the seizure list witnesses became hostile at the trial.

The trial case yet to be concluded. The entirety of the evidence of hostile witnesses may not be discarded by the trial Court.

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) 1236 of 2022** is dismissed.

**(Debangsu Basak, J.)**

**(Ajay Kumar Gupta, J.)**

