

**11.04.2023**  
Sl. No.4  
**akd**  
[Rejected]

**C. R. M. (NDPS) 534 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.03.2023 in connection with Kumarganj Police Station Case No.395 of 2022 dated 10.12.2022 under Sections 21/22(c)/29 of the NDPS Act.

And

In Re: ***Rashidul Sarkar***

... .. Petitioner

Ms. Sreyashee Biswas  
Ms. Benajir Hasna  
Mr. Aliul Islam

... .. for the petitioner

Mr. T. D. Nandy  
Mr. Antarikhya Basu

... .. for the State

It is contended on behalf of the petitioner that narcotics was kept at the residence by his son.

Learned Advocate for the State opposes the prayer for bail and submits son of the petitioner is absconding.

We have considered the materials on record. Petitioner was present in the house when narcotics above commercial quantity was recovered. Though he contends that narcotics was kept by his son, the said accused is absconding. As a result, police is unable to verify such contention. Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail is thus rejected.

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

**(Joymalya Bagchi, J.)**

