

01.04.2024
Sl. No.8
akd
[Rejected]

C. R. M. (NDPS) 409 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.02.2024 in connection with Singur Police Station Case No.143 of 2023 dated 22.04.2023 under Section 20(b)(ii)(c) of the NDPS Act. (NDPS Case No.4 of 2023)

And

In Re: **Soma Roy**

... .. Petitioner

Ms. Saba Parween

... .. for the petitioner

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor

Mr. Arindam Sen

... .. for the State

1. Chemical examiner's report is placed on record. Report shows presence of *Ganja* in the sample.
2. Materials on record prima facie establish recovery of narcotics i.e. 90 kgs. of *Ganja*, which is above commercial quantity from a vehicle. Petitioner and co-accused were present in the vehicle. Under such circumstances, there are prima facie evidence on record with regard to conscious possession of narcotics above commercial quantity by the petitioner which attracts statutory restrictions under Section 37 of the NDPS Act with regard to grant of bail on merits. Hence, we are not inclined to grant bail to the petitioner.
3. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)