

26.06.2019.
Item No.7
(Rejected)
ab

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

C.R.M. 453 of 2019

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 20.06.2019 in connection with Banarhat Police Station Case No. 286 of 2018 dated 13.12.2018 for commission of offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substance Act, 1985;

And

In the matter of : Santosh Sarkar and another.

... petitioners.

Mr. Debasish Mukhopadhyay.

...For the petitioner.

Mr. Sourav Ganguly,
Mr. Aniruddha Biswas.

...For the State.

Heard the learned Advocates appearing on behalf of the parties.

The petitioners have been arrested in connection with Banarhat Police Station Case No. 286 of 2018 dated 13.12.2018 for commission of offence punishable under Section 20(b) of the Narcotic Drugs and Psychotropic Substance Act, 1985.

According to the petitioners, they are the drivers and have been falsely implicated in the instant case having no knowledge of such contraband being put in the car.

The prosecution says that the petitioners were carrying vegetables in the said car and the packets containing

contraband were hidden beneath the same and could only be recovered on inspection.

Considering the materials available from the case diary and the extent of complicity of the alleged offence, we do not feel that it is a fit case where the petitioners should be enlarged on bail.

The application for bail of the petitioners is, thus, rejected.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with all requisite formalities.

(Hiranmay Bhattacharyya, J.)

(Harish Tandon, J.)