

CRM No.7892 of 2021

Via video conference

20.12.21

(S.R.)

Sl.43

Ct.32

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Haringhata** Police Station Case No.293 of 2021 dated 30/09/2021 under Sections 21(c)/29 of the NDPS Act;

And

In re: Tapan Barman & Ors.

... Petitioners.

Mr. Kalyan Kr. Chakraborty

Mr. Kaushik Dey

Mr. Ashok Halder

... for the petitioners.

Mr. Ranabir Ray Chowdhury

Mr. Mainak Gupta

...for the State.

Mr. Chakraborty, learned advocate appearing for the petitioners submits that the petitioner no.2 was returning from Alipurduar after attending the preliminary written test for appointment to the post of a constable. His vehicle was intercepted and he was falsely implicated in the alleged incident. He has already suffered incarceration for about 83 days and in the said conspectus, he may be enlarged on bail on any stringent condition.

Mr. Ray Chowdhury, learned advocate appearing for the State opposes the petitioners' prayer and draws our attention to the seizure list and other documents in the case diary.

Prima facie, there are strong incriminating materials against the petitioners and contraband substance above commercial quantity was recovered from the possession of the petitioners and other accused persons. In view thereof, the rigours of Section 37 of the NDPS are attracted and as such, we are not inclined to exercise any discretion in favour of the petitioner. As such, the petitioners' prayer for bail is refused at this stage

The application for bail being CRM No.7892 of 2021 is,

accordingly, dismissed.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Sugato Majumdar, J.)

(Tapabrata Chakraborty, J.)