

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

29.09.2021

Court No.01
rpan / **25**

C.R.M. 528 of 2021

In Re:- An application for bail under section 439 of the Code of Criminal Procedure;

And

In Re : **Subhankar Paul & Another**

...Petitioners.

Mr. Subhasish Misra

....for the petitioners.

Mr. Aditi Shankar Chakraborty, Ld. APP,
Mr. Sourav Ganguly

....for the State.

The present application for bail under section 439 of the Code of Criminal Procedure in connection with Tufanganj Police Station Case No.417 of 2020 dated 01.10.2020 under Sections 21(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 has been filed by the petitioners.

Mr. Misra, learned advocate appearing for the petitioners, submits that the petitioners are young students and they have already suffered incarceration for a period of about one year. There is no possibility towards early conclusion of the trial and in view thereof, they may be granted bail on any stringent condition.

Mr. Ganguly, learned advocate appearing for the State opposes the petitioners' prayer and submits that contraband substance, above commercial quantity, was recovered from the possession of the petitioners. In support of such contention, he has drawn our attention to the seizure list.

Having heard the learned advocates and considering the materials in the case diary and the fact that contraband substance, above commercial quantity was recovered from the possession of the petitioners, the rigours of Section 37 of the NDPS Act are attracted and as such, their prayer for bail is refused at this stage.

The application for bail, being CRM 528 of 2021 is, thus, rejected.

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

(Abhijit Gangopadhyay, J.) (Tapabrata Chakraborty, J.)