

17.08.2021

court no. : 28
Item no. : JCB - 07
matter : 439
status : REJECTED
transcriber : nandy

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

(Via Video Conference)

CRM 796 of 2021

In Re:- An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 29.07.2021 in connection with NJP GRPS Police Station Case No. 52 of 2017 dated 03.12.2017 under Sections 21(b)(i)(c) of the Narcotic Drugs & Psychotropic Substances Act. (NDPS Case No. 52 of 2017)
and

In the matter of: **Samsun Nisha**

.....Petitioner

Mr. Debajit Kundu, Advocate

.....for the Petitioner

Mr. Aditi Sankar Chakraborty, learned A.P.P.

Mr. Aniruddha Biswas, Advocate

.....for the State

The Advocate-on-record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within four weeks from date. Subject to such undertaking the application is taken up for hearing.

The petitioner has filed the instant application for bail in connection with NJP GRPS Police Station Case No. 52 of 2017 dated 03.12.2017 under Sections 21(b)(i)(c) of the Narcotic Drugs & Psychotropic Substances Act.

Indubitably, commercial quantity of contraband (41.55 KGs of suspected Cannabis) was recovered beneath seat nos. 50 and 52, which was booked by the present petitioner and other person who alleged to have fled away from the spot.

Since the recovery has been made from the possession of the petitioner, we do not think that the petitioner has been able to make out a case for taking exception to Section 37 of the Narcotic Drugs & Psychotropic Substances Act.

As such, the prayer for bail is **rejected**.

The application being **CRM 796 of 2021** is accordingly **dismissed**.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)