

05.08.2021

Court No.28
Item No. JB-05
nandy

(BAIL – REJECTED)

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

(Via Video Conference)

CRM 804 of 2021

In Re:- An application for **Bail** under Section **439** of the Code of Criminal Procedure filed on 03.08.2021 in connection with Jalpaiguri Kotwali Police Station Case No. 335 of 2020 dated 29.05.2020 under Sections 20(ii)(c)/25/29 of the Narcotic Drugs & Psychotropic Substances Act. (NDPS Case No. 30 of 2020)

and

In the matter of: **Sahidul Haque @ Saidul Haque**

.....Petitioner

Mr. Amal Kumar Saha, Advocate

Mr. Bibaswan Bhattacharya, Advocate

.....for the Petitioner

Mr. Nilay Chakraborty, Advocate

Mr. Sourav Ganguly, 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 Jalpaiguri Kotwali Police Station Case No. 335 of 2020 dated 29.05.2020 under Sections 20(ii)(c)/25/29 of the Narcotic Drugs & Psychotropic Substances Act.

Huge quantity of contraband (Ganja) to the extent of 312 KGs was recovered from the possession of the petitioner. The petitioner was arrested on May 29, 2020. Initially, chargesheet could not be filed within the normal period of limitation provided therefor but the said period was extended on an application at the behest of the prosecution and it is undeniable that chargesheet

has been submitted on April 21, 2021 within the extended time.

In view of recovery of such huge quantity of contraband from the possession of the petitioner, we do not find that the petitioner has been able to make out a case for taking exception to Section 37 of the Narcotic Drugs and Psychotropic Substances Act.

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

The application being **CRM 804 of 2021** is accordingly **dismissed**.

However, we request the trial Court to expedite the trial of the case.

(Harish Tandon, J.)

(Bibek Chaudhuri, J.)