

08. 24.08.2021

Ct.32

Tanmoy

Rejected

**In The High Court at Calcutta
Circuit Bench at Jalpaiguri
Appellate Side**

(Through Video Conference)

C.R.M. 860 of 2021

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on **18/08/2021** in connection with **Kotwali Police Station Case No. 774 of 2017** dated **07/11/2017** under Sections **374/411/413/34** of the Indian Penal Code read with Section **20(b)** of the N.D.P.S. Act, 1985.

And

In the matter of: - **Rahul Malakar**

...petitioner.

Mr. Arijit Ghosh,
Ms. Swarnali Chakraborty

...for the petitioner (through V.C.).

Mr. Aditi Shankar Chakraborty, Ld. A.P.P.,

...for the State (through V.C.).

The petitioner's prayer for bail was rejected twice earlier. Firstly, by an order dated November 13, 2019 passed in C.R.M. 1003 of 2019; secondly, by an order dated July 31, 2020 passed in C.R.M. 5011 of 2020.

Commercial quantity of '*ganja*' was recovered from the joint possession of the petitioner and other accused persons. Learned Counsel for the State says that charges have been framed.

In view of the statutory restriction in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and the

previous two rejections of the petitioner's prayer for bail, we are not inclined to entertain this application for bail.

Accordingly, the application for bail being C.R.M. 860 of 2021 is **dismissed**.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)