

03.12.2021

Item No.13

Ct.No.1

K.B/b.r.

Bail rejected

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
Criminal Appellate Jurisdiction

C.R.M. 1102 of 2021

(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure being Kotwali, P.S. Case No. 253/21 u/s 21(c) of NDPS Act r/w Sec. 25 (1-A)/35 of Arms Act.

And

In the matter of : **Bandan Roy**

... Petitioner.

Mr. Sayan De
Mr. Kanjilal Sayan
Mr. Kaustuv Shome
Ms. Esha Acharya

... for the petitioner

Mr. Nilay Chakraborty
Mr. Saurav Ganguly

... for the State.

Learned advocate for the petitioner submits that the petitioner is in custody for a considerable period of time and further detention of the petitioner is unwarranted in the facts and circumstances of the present case.

Learned advocate for the State produces the case diary and draws the attention of this Court to the seizure list as also the materials which were recovered in connection with the case from the petitioner.

In view of the recovery of commercial quantity of contraband, the provisions of Section 37 of the NDPS Act are attracted and as such the petitioner is not entitled to bail.

Accordingly, the prayer for bail being CRM 1102 of 2021 is dismissed.

All parties shall act on the server copy of this order, duly obtained from the official website of the Hon'ble High Court Calcutta.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

(Subrata Talukdar, J.)