

09.02.2022
Sl. 2
Court No.29
suvayan
(Rejected)

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

**C.R.M. (NDPS) 37 of 2022
(Via Video Conference)**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 04.02.2022 in connection with **Mathabhanga** Police Station Case No. **500 of 2021** dated **07/09/2021** under Section **20(b)(ii)(c)/25/29** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: Pinku Kumar & Anr.

....petitioners.

Mr. Karan Dudhwewala
Mr. Mukesh Pandey

...for the petitioners.

Mr. Sanjoy Bardhan
Mr. Palash Chandra Majhi

...for the State.

Petitioners seek bail.

Learned Advocate appearing for petitioners submits that the petitioner was falsely implicated. The petitioners were merely accompanying the driver of the vehicle where the narcotic was seized.

State is represented.

Considering the fact that commercial quantity of narcotic was recovered from the joint possession of the petitioners along with another co-accused, we are of the view that the petitioners are unable to overcome the restrictions under Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Consequently, we are unable to grant bail to the petitioners.

Accordingly, the prayers for bail of the petitioners are rejected.

C.R.M. (NDPS) 37 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

