

07.09.2022

Item No.19

Ct.No.1

K.B/b.r.

rejected

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

CRM(NDPS) 246 of 2022

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with CR (NDPS) Case No.23 of 2022 under the Narcotic Drugs an Psychotropic Substances Act, 1985 and in the matter of Siliguri Police Station Case No.207 of 2022 dated 19.02.2022 under Sections 21 (C)/22 (C) of the N.D.P.S. Act, 1985.

And

In the matter of: **Runu Sarkar @ Ranu Sarkar**

....Petitioner

Mr. Hillol Saha Poddar

Ms. Moushumi Das

...for the Petitioner

Mr. Arun Sarkar, Ld. PP

Mr. Tapan Bhattacharjee

.....for the State

This is an application for bail under Section 439 of the Code of Criminal Procedure in connection with CR (NDPS) Case No.23 of 2022 under the Narcotic Drugs an Psychotropic Substances Act, 1985 and in the matter of Siliguri Police Station Case No.207 of

2022 dated 19.02.2022 under Sections 21 (C)/22 (C) of the N.D.P.S. Act, 1985.

Mr. Saha Poddar, Learned Counsel, appears for the petitioner and submits that the prosecution has been unable to bring materials before the Hon'ble Court disclosing the nexus with the present petitioner with the seizure of the contraband.

Per contra, Mr. Sarkar, Learned Public Prosecutor, produces the Case Diary which contains the Seizure List.

The Seizure List clearly shows that the seizure of the contraband has been made from the godown of one Gopal Sarkar, who is the father of the present petitioner, Runu Sarkar.

It also shows that the seizure has been made from the joint possession of the accused persons, which includes a third accused, one Ranjan Sarkar.

Considering the above nature of facts and the commercial quantity of seizure, this Court is not persuaded to grant the privilege of bail to the present petitioner.

CRM (NDPS) 246 of 2022 stands accordingly

rejected.

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

(Krishna Rao J.)

(Subrata Talukdar, J.)