

25.08.2022

Sl. No.3

akd

[Rejected]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (NDPS) 256 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.08.2022 in connection with Kotwali Police Station Case No. 234 of 2020 dated 23.05.2020 under Section 20(b)(c) of the NDPS Act.

And

In Re: ***Masum Gharami @ Masud Gharami***

... .. Petitioner

Mr. Satyaki Basu

... .. for the petitioner

Mr. Ujjwal Luksom

Ms. Namrata Das

... .. for the State

Heard the learned advocate appearing for both the parties.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 98.965 kgs. of *Ganja*, which is above commercial quantity from a vehicle. Petitioner was present in the vehicle. Keeping in mind the prima facie involvement of the petitioner in transporting narcotic substance above commercial quantity and statutory restrictions under Section 37 of the NDPS Act, we are not inclined in granting bail to the petitioner.

The application for bail is thus **rejected**.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

