

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

31.08.2022.
01.
Ct.No.28
as
(Rejected)

**C.R.M. (NDPS) 259 of 2022
(Via Video Conference)**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with C.R.(NDPS) Case No.170 of 2021 arising out of Pradhan Nagar P.S. Case No.916 of 2021 dated 14.11.2021 under Sections 21(c)/22(c) of the NDPS Act.

In the matter of : Nabin Roy.

... Petitioner.

Mr. P. S. Deb Barman,
Md. M. Nazar Chowdhury.

...for the Petitioner.

Mr. Nilay Chakraborty,
Mr. Biswarup Roy.

...for the State.

Petitioner is in custody since 14.11.2021. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotic substance i.e. 105 bottles of Rexdryl-TM Neo cough syrup which is above commercial quantity from the possession of the petitioner.

In view of the aforesaid incriminating materials on record and the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)