

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

30.08.2022
cm/ct 28

C.R.M. (NDPS) No. 262 of 2022

sl. no. 4

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with **Kotwali P.S Case No. 350 of 2022** dated **02.06.2022** under Sections **21(c)** of the N.D.P.S. Act.

Rejected

And

In Re : Saikat Mandal @ Roni

..... petitioner

Mr. Sourav Chatterjee
Mr. Saikat Chatterjee
Mr. Anirban Banerjee

..... for the petitioner

Mr. Aditishankar Chakraborty, Ld. A.P.P.
Mr. Aniruddha Biswas

..... for the State

Petitioner is in custody for 89 days. It is submitted that no narcotic substance was recovered from his possession.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Petitioner was present with co-accused from whom narcotic substance above commercial quantity was recovered. He was arrested at the spot.

In view of the aforesaid incriminating materials prima facie showing conceit between the petitioner and the co-accused for transporting narcotics and in view of the statutory restrictions under Section 37 of the N.D.P.S. Act, we are not inclined to grant bail to the petitioner.

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

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

