

13.10.2022
JCB 3
Ct.No.28
Sourav/
Suvayan
(Rejected)

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

C.R.M. (NDPS) 338 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Kotwali** Police Station Case No. **313** of **2021** dated **17.06.2021** under Sections **20(ii)(c)/25/29** of the NDPS Act.

In the matter of : **Gobindo Malakar**

... Petitioner.

Ms. Jeenia Rudra

...for the Petitioner.

Mr. Aditi Shankar Chakraborty
Mr. Nilay Chakraborty
Mr. Biswarup Roy

....for the State.

Heard learned lawyers for the parties.

Petitioner is in custody for one year and three months. He prays for bail.

Learned lawyer for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses and contemporaneous document show recovery of 26.675 Kgs. of Ganja from the petitioner and the co-accused who were travelling in a vehicle.

In view of aforesaid circumstances and 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.

(Supratim Bhattacharya, J.)

(Joymalya Bagchi, J.)