

28.11.22
Sl.58
Ct. No.1
(ss)

CALCUTTA HIGH COURT
In the Circuit Bench at Jalpaiguri

CRM (NDPS) 376 of 2022

In re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Maynaguri** Police Station Case No.503 of 2021 dated 11/10/2021 under Sections 20(b)(ii)(c) of the NDPS Act;

And

In re: Sri Mahendra Rai

... petitioner.

Mr. Kumar Shantanu

... for the petitioner.

Mr. Abhijit Sarkar

Mr. Saikat Chatterje

...for the State.

Heard the learned counsel for the petitioner as well as the learned Public Prosecutor.

The learned counsel appearing for the petitioner submitted that there are basic discrepancies in the version of the statements which undermines the creditability of prosecution case.

Per contra the learned Public Prosecutor submitted that the matter is subject-matter of trial and the truth can be ascertained only after taking evidence.

This apart he further submitted that the discrepancies are not so serious in nature.

Perused the case diary.

There is seizure of contraband articles of commercial quantity, attracting the rigours of Section 37 of the NDPS Act.

Considering the seriousness of offences, we are not inclined to exercise discretion in his favour. As such, his prayer for bail is refused.

The application for bail being CRM(NDPS) 376 of 2022, is accordingly, dismissed.

(Sugato Majumdar, J.)

(Shekhar B. Saraf, J.)

