

21.06.2023
Sl. 17
Court No.29
Suvayan
(Rejected)

C.R.M. (NDPS) 1167 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in arising out of **Katwa** P. S. Case No. **787 of 2022** dated **16.10.2022** under Sections **21(c)/25/27A/29** of the NDPS Act.

And

In the matter of: **Yengkhom Premchandra Singh**

....petitioner

Mr. Debmalya Ganguli
Mr. Soumalya Ganguli
Ms. Ananya Banerjee
Mr. Syed Muztaba Ali
Ms. Sudarshana Dutta

...for the petitioner.

Mr. Sanjoy Bardhan
Mr. Palas Ch. Majhi

...for the State.

1. Heard the learned Counsel for both the parties.
2. Though some discrepancy is shown in the seizure list by learned Counsel for the petitioner, taking into consideration the entire transaction including the statement of the principal accused, Badsha Mallick and recovery of huge cash of about Rs. 13 lakh from the car in which the petitioner was travelling and the CDR, we are not inclined to exercise our discretion in favour of the petitioner under Section 439 Cr.P.C at this stage especially in view of the bar under Section 37 of the NDPS Act.
3. Accordingly, the prayer for bail of the petitioner is rejected.
6. CRM (NDPS) 1167 of 2023 is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)