

16.11.2023

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rejected

C.R.M.(NDPS) No. 1732 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malda Town G.R. Police Station Case No. 67 of 2023 dated 25.07.2023 under Sections 20B(i)/23 of the NDPS Act.

And

In Re : Tushar Chandra Sarkar & Anr. petitioners

Mr. Pravas Bhattacharyya

....for the petitioners

Mr. Antarikhya Basu

..... for the State

1. Learned Counsel for the petitioners submits they have been falsely implicated. They pray for bail.
2. Learned Counsel for the State opposes the prayer for bail.
3. We have considered the materials on record. Petitioners were travelling in a train. 21.842 kgs. of Ganja were recovered from the luggage carried by the petitioners. Prima facie they were in possession of the seized narcotics. Chemical report shows presence of narcotics in the seized item.
4. Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.
5. The application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)