

27.02.2023

Sl. No.14
akd
[Rejected]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (NDPS) 134 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 30.01.2023 in connection with Siliguri Police Station Case No.1103 of 2021 dated 08.09.2021 under Sections 21(c)/22(c) of the NDPS Act. (NDPS Case No.120 of 2021)

And

In Re: ***Sahadeb Barman***

... .. Petitioner

Mr. Arunava Paul

... .. for the petitioner

Mr. Aditi Sankar Chakraborty .. Id. Addl. Public Prosecutor

Mr. Aniruddha Biswas

... .. for the State

It is submitted on behalf of the petitioner that he had been illegally arrested in connection with another case. Petitioner does not place on record any reliable document in support of such plea.

Learned Additional Public Prosecutor opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 103 bottles of *codeine mixture*, which is above commercial quantity from the possession of the petitioner. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

The application for bail is thus **rejected**.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)

