

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

27.02.2023
45.
as
(Rejected)

C.R.M. (NDPS) 175 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 72 of 2020 arising out of Matigara P.S. Case No.1165 of 2020 dated 16.11.2022 under Section 21(C) of the NDPS Act.

In the matter of : Kalu Mandal & Anr.
... Petitioners.

Mr. Arijit Ghosh.
...for the Petitioners.

Mr. Aditi Shankar Chakraborty, Id. A.P.P.,
Mr. Sagnik Sankar Sikdar.
...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Statements of witnesses and contemporaneous documents i.e. seizure memorandum show recovery 500 grams of brown sugar i.e. heroin from petitioners.

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.

Accordingly, the prayer for bail of the petitioners is rejected.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)

