

27.02.2023

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Court -I
sl no. 60

**In the High Court at Calcutta
Circuit Bench At Jalpaiguri**

C.R.M. (NDPS) 192 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Siliguri PS case no. 1343 of 2021 dated 21.11.2021 under section 21(c) and 22 (c) of the NDPS Act

And

In Re Subhajit Kar @ Hassy petitioner

Mr. Sayan De,
Ms. Esha Acharya

..... for the petitioner

Ms. Aditi Shankar Chakraborty,
Mr. Aniruddha Biswas,

,

..... for the State

Petitioner contends that he was called to the police station in connection with a theft case. Subsequently, he was falsely implicated in the instant case. He relies upon news paper reports in support of such plea.

Learned advocate on behalf of the State opposes the bail. There is no evidentiary value of newspaper reports. On the other hand, statement of witnesses and contemporaneous document show recovery of 50 bottles of Chlorpheniramine Meleate & Codine Phosphate which is above the commercial quantity from 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 petitioners.

Accordingly, prayer for bail is rejected.

The trial court is directed to consider and dispose of the case as expeditiously as possible.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)