

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

04.04.2023
Court No.1
(D/L 40)
(rejected)

CRM (NDPS) 266 OF 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 30.03.2023 in connection with NDPS Case No.24 of 2020 arising out of Kotwali Police Station Case No.324 of 2020 dated 23.05.2020 under Sections 20 (b) (c) of the NDPS Act, 1985.

And

In the matter of: **Masum Gharami @ Masud Gharami**
... Petitioner.

Mr. Sujit Kumar Sarkar
... for the petitioner.

Mr. Abhijit Sarkar
Mr. Aniruddha Biswas
... for the State.

Heard the learned counsel for the petitioner, who has prayed for bail by stressing on his submission that the petitioner was not present at the place and time of occurrence and seizure in the present case.

From the seizure list we find that the place of seizure is NH-31C near Ganapati Hotel, P.S. Kotwali, Jalpaiguri. The certified copy of the memo of arrest filed by the learned counsel for the petitioner also shows that the place of arrest of the petitioner is from NH-31C near Ganapati Hotel, P.S. Kotwali, Jalpaiguri on the date and time of occurrence.

Considering all these facts and the other materials in the case diary, the seizure list, wherein it is seen that Narcotic Substances being 98.965 kgs Ganja (commercial quantity) has been seized from

the place of occurrence on the date and time of occurrence in presence of the accused persons including the petitioner.

Accordingly, the prayer for bail stands rejected.

[SHAMPA DUTT (PAUL), J.]

(RAJARSHI BHARADWAJ, J.)