

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

10.05.2023
Court No.1
(sb 67)

CRM(NDPS) 278 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Matigara Police Station Case No.1355 dated 27.11.2021 under Section 20(b)(ii)(c) of the Narcotic Drugs and Psychotropic Substances Act, 1985 .
And

In the matter of: **Shohor Ali & Anr.**

.**Petitioners.**

Ms. Chanda Jha

... For the Petitioner.

Mr. Abhijit Sarkar
Mr. Biswarup Roy

... For the State.

1. Statement of witnesses and the contemporaneous documents show recovery of 103 kgs of contraband articles (ganja) from the petitioners.
2. Although charges have been framed it is alleged that the trial has not commenced yet.
3. Keeping in mind the quantity of contraband recovered and that the presumption under Section 37 of the Narcotic Drugs and Psychotropic Substances (NDPS) Act 1985 is not rebutted and as such, the prayer for bail of the petitioner is **rejected** at this stage.
4. Accordingly, CRM (NDPS) 278 of 2023 is disposed of.

(Ananya Bandyopadhyay, J.)

(Arindam Mukherjee, J.)