

10.05.2023
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IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M.(NDPS) 289 of 2023

In Re: An application for bail under Section 439 of the Code
of Criminal Procedure, 1973.

And

In the Matter of : Niranjan Das

.... petitioner.

Mr. Arunava Pal

.....For the petitioner.

Mr. Ujjal Luksom,
Mr. Kallol Nag

.....For the State.

1. This is an application for grant of bail filed under Section 439 of the Code of Criminal Procedure, 1973 in connection with C.R. (NDPS) Case No.120 of 2021 arising out of Siliguri P. S. Case No. 1103 of 2021 dated 8th September, 2021 under Sections 21(c)/22(c) of the Narcotics Drugs and Psychotropic Substances (NDPS) Act, 1985 pending before the Special Court (NDPS Act) at Siliguri, District - Darjeeling.
2. Heard the learned advocates appearing for the parties.
3. We have considered the materials on record. Statements of witnesses and contemporaneous document namely, seizure list disclose recovery of narcotic

substance i.e. 103 bottles of phensedyl, which is above commercial quantity from the petitioner.

4. In view of the aforesaid incriminating materials and the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.
5. Accordingly, the prayer for bail of the petitioner is rejected.
6. The trial court is directed to expedite the trial and conclude the same as expeditiously as possible preferably within one year from date.
7. The application for bail CRM (NDPS) 289 of 2023 is, accordingly, disposed of.

(Ananya Bandyopadhyay, J.) (Arindam Mukherjee, J.)

