

05.6.2023
Court No.01
Item No. 45
ar
Rejected

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

CRM (NDPS) 299 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bagdogra Police Station Case No. 201 of 2022 dated 01.5.2022 under Sections 20(b)(ii)(c) of the Narcotics Drugs and Psychotropic Substances Act, 1985.

And

In Re: **Raju Sarkar**

.... Petitioner

Mr. Arunava Paul

...

For the Petitioner

Mr. Kallol Acharjee

Mr. Saikat Chatterjee

...

For the State

Learned counsel appearing for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case.

Learned counsel appearing for the State opposes the prayer for bail. It is also submitted that the petitioner is married.

We have considered the materials on record. From the contemporaneous documents i.e. seizure memorandum show recovery of 52.600 kgs. of ganja from the petitioner.

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 petitioner.

Accordingly, the prayer for bail of the petitioner is rejected. CRM 299 of 2023 is accordingly disposed of.

However, we direct the learned trial court to take immediate step for framing of charge as expeditiously as possible.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)