

09.06.2023

Ct.No. 1
Item No. 13
Sb / Saswata
Rejected

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

C.R.M. (NDPS) 385 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Matigara PS case no. 781/2021 dated 30.07.2021 under Section 21(c) of the NDPS Act, 1985.

And

In the matter of : **Mohan Singh & Anr.**

...petitioners

Mr. Dhiraj Lakhotia
Mr. Ronit Roy
Mr. Palash Chowdhury

...For the petitioners

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Arjun Chowdhury

....For the State

1. Learned Counsel for the petitioners submits that the petitioners have been falsely implicated in the instant case and they have been languishing in jail since July 2021.
2. Learned Additional Public Prosecutor opposes the prayer for bail and submits that narcotic substances above commercial quantity have been recovered from the petitioners.
3. Having considered the memo of charges, seizure list showing recovery of narcotic substances above commercial quantity and considering the restriction under Section 37 of the NDPS Act, we are of the opinion

that this is not fit case where the petitioner shall be granted bail.

4. The application for bail is accordingly **rejected**.
5. CRM (NDPS) 385 of 2023 is **disposed** of.

(Raja Basu Chowdhury, J.)

(Soumen Sen, J.)