

43. 05.07.2023
Court
No.1 Tanmoy Ghosh

Rejected

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

CRM (NDPS) 408 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **NDPS Case No. 117 of 2022** arising out of **Kumargram Police Station Case No. 316 of 2022** dated **22.10.2022** under Sections **20(b)(ii)(c)/25/29** of the NDPS Act, 1985.
And

In the matter of: - **Prahlad Kumar @ Parhlad Kumar & Anr.**
...petitioners.
Ms. Supriya Debnath, Adv.
...for the petitioners.

Mr. Aditi Shankar Chakraborty, Ld. APP,
Mr. Kallol Nag, Adv.
...for the State.

Heard learned Advocate for the petitioners and learned Advocate for the State at length.

Perused the entire material in the case diary and the seizure list where it appears that commercial quantity of *ganja*, being a contraband article, was recovered from the joint possession of the present two accused/petitioners.

Such being the position and in view of the restriction in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, we are not inclined to exercise our discretion in favour of the present accused/petitioners and accordingly the prayer for bail is rejected.

The application for bail being CRM (NDPS) 408 of 2023 is,
accordingly dismissed.

(Arijit Banerjee, J.)

(Partha Sarathi Sen, J.)