

16.06.2023  
Court No.1  
Item No.35  
Rejected

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

sg

**CRM (NDPS) 420 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Jaigaon Police Station Case No. 250 of 2022 dated 18.10.2022 under Section 22(c) of NDPS Act.

And

In Re: **Sanjay Chhetri**

Petitioner

Mr. Biswarup Roy

For the Petitioner

Mr. Aditi Shankar Chakraborty  
Mr. Chhatu Roy

For the State

1. The learned Counsel for the petitioner submits that the petitioner is innocent and there is glaring discrepancies between the FIR and the seizure list. It has been specifically submitted that the petitioner is not the owner of the house wherefrom the contraband articles are alleged to have been recovered.
2. The learned Counsel for the State, in opposition the prayer for bail, has submitted that the contraband items have been seized from two persons, one of which is the present petitioner. However, it has been fairly submitted that the owner of the house has not been disclosed.
3. Considering the materials available in the case diary and the nature of the allegation that the petitioner was concealing the contraband items in a house and the same were recovered from that house on due identification of the petitioner, we are not inclined to grant bail to the petitioner.

4. The application for bail is rejected. CRM (NDPS) 420 of 2023 is, accordingly, disposed of.
5. 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)**