

05.07.2023
Item no.52
Court No.1.
AB
(Rejected)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (NDPS) No.440 of 2023

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure in connection with Rajganj Police Station Case No.101 of 2023 Dated 25.2.2023 under Sections 20(ii)(c)/25/29 of the NDPS Act

And

In the matter of : Amir Ahamad Shaikh @ Ameer Shaikh

.....Petitioner.

Mr. Thaneshware Kumaifor the Petitioner.

Mr. Nilay Chakraborty,
Mr. Sourav Gangulyfor the State.

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

It is submitted on behalf of the petitioner that considering the long detention of the present accused petitioner, the present application for bail may be considered favourably.

Learned Advocate for the State opposes the prayer for bail.

On perusal of the case diary, it appears that 24 kilograms of contraband item was seized from the possession of the present accused petitioner. Such being the position and in view of the restriction under Section 37 of the NDPS Act, we are not inclined to exercise our discretion under Section 439 Cr.P.C.

The prayer for bail stands rejected.

CRM (NDPS) No.440 of 2023 is dismissed.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)