

06.07.2023
Item no.36.
Court No.01.
S. De
(Rejected)

Circuit Bench of Calcutta High Court
at Jalpaiguri

CRM (NDPS) No. 498 of 2023

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure filed on 30.06.2023 in connection with Bhaktinagar Police station Case No. 1121 of 2021 dated 27.08.2021 under Sections 21(b)/22(b)/29 adding Section 21(c)/22(c)/25 of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Tapan Paul. Petitioner.

Ms. Supriya Debnath,
.....for the Petitioner.

Mr. Nilay Chakraborty,
Mr. Tapan Bhattacharjee, for the State.

Heard learned advocate for the petitioner and learned
advocate for the state.

It appears that commercial quantity of narcotic drugs were
seized from the possession of the present accused petitioner.

Considering the seriousness of the crime and keeping in mind
the statutory restriction under Section 37 of the Narcotic Drugs
and Psychotropic Substances Act, we are not inclined to exercise
our discretion in favour of the present accused petitioner.

Considering the long pendency of the case before the learned
Trial Court, the learned Trial court is, hereby, directed to
consider the charge as against the charge-sheeted accused
persons in respect of the caption mentioned case positively

within three months from the date of communication of this order.

The application for bail is, accordingly, rejected.

CRM (DB) 498 of 2023 is dismissed.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

(Partha Sarathi Sen, J.)

(Arijit Banerjee, J.)