

AD-10
Ct No.01
Jalpaiguri
18.09.2023
B.Pal

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (NDPS) 668 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.08.2023 in connection with NPDS Case No.02 of 2023 arising out of Bhaktinagar Police Station Case No. 1375 of 2022 dated 26.12.2022 under Sections 21(c)/25/29 of the NDPS Act, 1985.

And

In the matter of: **DIPAK SAHANI @ DEEPAK SAHANI AND ANR**
...Petitioners

Ms. Madhushri Dutta,
... for the petitioners

Mr. Aditi Shankar Chakraborty,
Mr. Arjun Chowdhury
... for the State

1. Learned counsel for the petitioners argues that the petitioners are in custody for about eight months.
2. Learned counsel for the State opposes the prayer for bail and submits that the charge-sheet has already been filed.
3. In view of the presumption under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners at this stage.
4. Accordingly, CRM (NDPS) 668 of 2023 is dismissed.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)