

JPD-22
Ct No.01
21.09.2023
TN

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Jurisdiction

CRM (NDPS) 740 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.09.2023 in connection with Jaigaon Police Station Case No. 250 of 2022 dated 18.10.2022 under Section 22(C) of the NDPS Act, corresponding to NDPS No. 116 of 2022.

And

In the matter of: Sanjay Chhetri

.... Petitioner

Mr. Supratim Nag

... for the petitioner

Mr. Ujjwal Luksom,
Ms. Namrata Das

... for the State

1. Learned counsel for the petitioner contends that the petitioner is already in custody for 330 days and charge-sheet has been filed, although no charges have been framed. That apart, the petitioner's house does not have a store room although it was mentioned in the complaint that the contraband articles were recovered from the store room of the petitioner's house.
2. Learned counsel for the State opposes the prayer for bail and points out that on September 01, 2023 itself, that is, 20 days back, a similar application for bail of the petitioner was rejected by a coordinate Bench upon considering all aspects of the matter.

3. Although learned counsel for the petitioner submits that the circumstances have changed inasmuch as charges have not yet been framed even after the said order, we are not convinced that there has been change of circumstances justifying the grant of bail in the teeth of the rejection of a similar prayer on September 01, 2023, that is, only about 20 days back.
4. Accordingly, CRM (NDPS) 740 of 2023 is dismissed.

(Sabyasachi Bhattacharyya, J.)

(Uday Kumar, J.)