

19.
Court
No.28

23.08.2024
(Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 1245 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kaliachak P.S. Case No. 220/2024 dated 24.02.2024.
And

In the matter of: - **Chaitanya Mandal @ Chaitanya Mondal**
...petitioner

Mr. Kalidas Saha
Ms. Mandira Mandal
Ms. Khushi Mollick
...for the petitioner.

Mr. Sudip Kumar
Ms. Payel Ghosh
...for the State.

Dictated by Apurba Sinha Ray, J.

1. Learned Counsel for the petitioner submits that the petitioner has been falsely implicated in this case. He is in custody for about 186 days. The other accused persons have been granted bail by this Court. He may be enlarged on bail on any condition that this Court may decide.
2. Learned Counsel appearing for the State opposes the bail prayer on the ground that contraband articles were recovered from the bedroom of the present petitioner and there are sufficient incriminating materials against the present petitioner.
3. We have considered the materials on record including the seizure list. We find merits in the submission of learned Counsel for the State.

4. Considering the available materials on record and also keeping in mind that commercial quantity of contraband is involved and also in view of the restriction in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, we are not inclined to allow the petitioner's prayer for bail.
5. The application being CRM (NDPS) 1245 of 2024 is accordingly dismissed.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)