

71. 20.11.2024
Court
No.29 (Tanmoy)

Rejected

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION

CRM (NDPS) 1535 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 Kharagpur GRPS Case No. 99/2024 dated 19.06.2024.

And

In the matter of: - **Surabali Sk.**

...petitioner.

Mr. Md. Sabir Ahmed
Mr. Tasnim Ahamed
Mr. Dhiman Banerjee

...for the petitioner.

Mr. Arindam Sen
Mr. Nirupam Dhali

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he has been falsely implicated. The seizure of 26 Kgs. of *ganja* was from a railway platform. He is in custody for 155 days. He prays for bail.
2. The petitioner further says that charge-sheet has been filed without the FSL report which would vitiate the charge-sheet.
3. Learned State Counsel shows us from the case diary that the charge-sheet was filed within the statutorily prescribed time period along with the FSL report. The seizure list names the accused persons including the petitioner.
4. In view of the aforesaid and in view of commercial quantity of *ganja*, which is a contraband item, being involved and the restrictions in Section 37 of the Narcotic Drugs and

Psychotropic Substances Act, 1985, we are not inclined to entertain the petitioner's prayer for bail, at this stage.

5. The bail prayer is rejected.
6. The application being CRM (NDPS) 1535 of 2024 is accordingly dismissed.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)