

**THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

14.05.2024.
2/tkm

C.R.M. (NDPS) 107 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Reang PS case no.21 of 2023 dated 7.4.2023 under sections 22(c) of the NDPS Act.

and

In the matter of : Javed @ Jawad Alam ... Petitioner

Ms. M Dutta

...for the Petitioner

Mr. Ujjwal Luksom

Ms. Namrata Das

...for the State.

1. Heard learned lawyers for the parties.
2. Leave is granted to correct the cause title of the petition.
3. We have considered the materials on record. Narcotics above commercial quantity was recovered from the petitioner. Charge has been framed and date has been fixed for recording evidence.
4. Learned counsel for the petitioner strenuously relies on a bail order passed in another case.
5. It is trite that each case is based on its factual matrix and bail order in a different case cannot be binding precedent in the present one.
6. In light of the aforesaid and statutory restrictions under sections 37 of the NDPS Act we are not inclined to grant bail to the petitioner.
7. Accordingly, prayer for bail is rejected.
8. Trial court is requested to expedite the trial as expeditiously as possible.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)