

25.04.2024
Court No.01
Item No. 55
rejected
KC

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

CRM (NDPS) 151 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Bagdogra** Police Station Case No. **500** of **2023** dated **12.10.2023** under Sections 21(c)/22(c)/29 of the NDPS Act.

And

In Re: **Sourav Das**

Petitioner

Ms. Supriya Debnath

For the petitioner

Mr. Abhijit Sarkar

Mr. Dhiman Sil

For the State

1. Heard learned counsel for the respective parties.
2. Prayer for bail was opposed on behalf of learned advocate for the State.
3. In view of recovery of commercial quantity of contraband articles from the possession of the present accused petitioner and in view of the statutory restriction under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.
4. In such circumstances, application for bail of the petitioner is rejected.
5. We make it clear that the Trial Court shall ensure appearance of all the witnesses and production of the alamsats on each date of successive hearing, failing which, the learned Trial Court will be at liberty to take appropriate coercive action against the prosecution witnesses as well as the police personnel.
6. **CRM (NDPS) 151 of 2024** is accordingly, disposed of.

7. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Soumen Sen, J)

(Partha Sarathi Sen, J)