

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

15.05.2024.
28/sdas/tkm

**C.R.M. (NDPS) 189 of 2024
CRAN 1 of 2024**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Alipurduar PS case no.300 of 2022 dated 24.12.2022 under section 22(c) of the NDPS Act.

and

In the matter of : Molay Sarkar ... Petitioner

Mr. Dilip Chakraborty

...for the Petitioner

Mr. Nilay Chakraborty

Mr. Sourav Ganguly

...for the State.

1. Heard learned lawyers for the parties.
2. Having considered the averments made in the application being CRAN 1 of 2024, order dated 1.5.2024 is recalled.
The application is restored to its original file and number.
3. CRAN 1 of 2024 is disposed of.
4. We have considered the materials on record. Statements of witnesses and contemporaneous documents i.e. seizure memorandum show recovery of 20 kg capsules containing Tramadol Hydrochloride which is above commercial quantity from the petitioner.
5. In view of the aforesaid incriminating materials and statutory restrictions under sections 37 of the NDPS Act we are not inclined to grant bail to the petitioner.
6. Accordingly, prayer for bail is rejected.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)