

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

13.05.2024.
23/tkm

C.R.M. (NDPS) 197 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with case no.01/CL/NDPS/DRI/SLG/2023-24 dated 3.2.2024 under section 43(a) of the NDPS Act.

and

In the matter of : Shiva Patel

... Petitioner

Ms. C Jha

...for the Petitioner

Mr. Ratan Banik

Mr. Saptarshi Banik

...for the DRI.

1. Petitioner contends though alleged place of occurrence is on Siliguri Road, recovery was made in DRI office. There is possibility of false implication. He prays for bail.
2. Learned lawyer for the DRI opposes the bail prayer. He contends 488.2 kgs of ganja was found from a vehicle. In view of the huge volume of contraband, vehicle was brought to DRI office and seizure procedure undertaken.
3. We have considered the materials on record. A truck bearing mark UP-65HT-4633 carrying huge quantity of narcotic from Assam was intercepted on the road. Petitioner was present in the truck. Vehicle was taken to DRI office and the seizure procedure was completed.
4. In view of the aforesaid circumstances showing recovery of large volume of narcotics from a truck which was in the control of petitioner we are of the opinion this is not a fit case to grant bail to him.
5. Accordingly, prayer for bail is rejected.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)