

24.05.2024

Sl. No.6
akd
[Rejected]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (NDPS) 212 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.04.2024 in connection with New Jalpaiguri Police Station Case No.942 of 2023 dated 01.10.2023 under Sections 20(b)(ii)(c)/25/28/29 of the NDPS Act. (NDPS Case No.88 of 2023)

And

In Re: **Gobinda Ghosh**

... .. Petitioner

Mr. Biswarup Roy
Mr. Supriya Debnath

... .. for the petitioner

Mr. Abhijit Sarkar
Mr. Kallol Nag

... .. for the State

1. FSL report is placed on record. Report shows presence of *Ganja* in the sample.
2. Materials on record prima facie establish recovery of narcotics i.e. 161.895 kgs. of *Ganja*, which is above commercial quantity from a vehicle. Petitioner was present in the vehicle. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.
3. The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)