

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

13.05.2024.
34/tkm

C.R.M. (NDPS) 213 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kumarram P.S case no.202 of 2023 dated 27.9.2023 under sections 21(c)/25/29 of the NDPS Act.

and

In the matter of : Nishar

... Petitioner

Mr. S Debnath

...for the Petitioner

Mr. A S Chakraborty, Id APP

Mr. Sourav Ganguly

...for the State.

1. Heard learned lawyers for the parties.
2. We have considered the materials on record. Petitioner is the driver of the vehicle. 100 bottles of cough syrup containing 100 ml. each was recovered from the vehicle. Petitioner was present in the vehicle. He has not been able to explain licit possession of the medicinal product containing narcotics above commercial quantity.
3. 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.
4. Accordingly, prayer for bail is rejected.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)