

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

13.05.2024.
36/tkm

C.R.M. (NDPS) 216 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Birpara PS case no.154 of 2023 dated 21.10.2023 under sections 21(c)/25/29 of the NDPS Act.

and

In the matter of : Ritesh Chhetri ... Petitioner

Mr. S Karmakar
Ms. M Sarkar
Mr. Akash Routh

...for the Petitioner

Mr. A S Chakraborty, Id APP
Mr. Kallol Nag

...for the State.

1. Petitioner contends recovery was made from the house of Rajesh Chhetri who is in custody. Other co-accused are on bail. Accordingly, He prays for bail.
2. Leavened lawyer for the State submits petitioner is the son of Rajesh Chhetri, an elderly man. He is involved in illegal narcotics trade. Female members of the family have been enlarged on bail.
3. We have considered the materials on record. Statements of witnesses and contemporaneous documents show recovery of nine cartoons of cough syrup containing codeine phosphate above commercial quantity from the house of Rajesh Chhetri. Petitioner is the son of Rajesh Chhetri. Female members of the family have been enlarged on bail. Petitioner cannot claim parity with them. There are prima

facie materials implicating the petitioner with regard to
illegal possession of narcotics.

4. Accordingly, prayer for bail is rejected.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)