

16.05.2024
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rejected

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C.R.M.(NDPS) No. 219 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhaktinagar Police Station Case No. 31 of 2024 dated 12.01.2024 under Sections 21(c)/22(c)/29 of the NDPS Act.

And

In Re : Santanu Majumdar @ Santanu Majumdar @ Santanu petitioner

Mr. Arunava Paul

....for the petitioner

Mr. Abhijit Sarkar

Mr. Sanjib Das

..... for the State

1. Learned Counsel for the petitioner submits he is suffering from medical ailments. Accordingly, he prays for bail on the ground of his poor health.

2. Medical report is placed on record. From the medical report it appears petitioner is suffering from diabetes, hypertension etc. He was treated in the hospital and was discharged in March, 2024. During pendency of the bail petition he has again been admitted in the hospital and given necessary care.

3. In the light of the report we are of the opinion prompt and immediate medical attention has been given to the

petitioner. Petitioner is involved in dealing in narcotics above commercial quantity. A large volume of narcotics i.e. 688 liters of cough syrup containing codeine phosphate and large volume of various tablets containing narcotics were recovered. Petitioner does not have valid licence to deal in medicine. He is unable to give explanation with regard to licit possession of medicine containing narcotics. In light of the aforesaid circumstances and in view of statutory restrictions under Section 37 of NDPS Act, we are not inclined to grant bail to the petitioner.

4. Application for bail is, thus, rejected.

5. We direct the Correctional Home Authorities to render proper medical care to the petitioner and in the event of emergency to arrange for his institutional treatment also.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)