

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

04.07.2024
Court No.1
(D/L 6)
(Rejected)

CRM (NDPS) 257 OF 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 21.06.2024 in connection with Pradhan Nagar Police Station Case No.633 of 2023 dated 21.08.2023 under Sections 21(C)/22(C) of NDPS Act, corresponding to C.R. NDPS Case No.59 of 2023.

And

In the matter of: **Ramesh Sarkar @ Chotan**

... Petitioner.

Mr. Anirban Banerjee
Mr. Dilip Roy

...for the petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Aniruddha Biswas

... for the State.

Learned counsel appearing for the petitioner submits that the petitioner is in custody for 319 days and the trial has already been commenced.

Learned counsel appearing for the State submits that there is restriction under Section 37 of the NDPS Act and the bail should not be granted.

We have considered the case diary, 22 bottles of WINCEREX-T cough syrup has been seized from the petitioner and as the trial has already been commenced. Next date of hearing is fixed on 22nd July,

2024 for evidence and there is a statutory restriction under Section 37 of the NDPS Act.

Under such circumstances, we are not inclined to grant bail to the petitioner.

The application for bail is rejected.

[MD. SHABBAR RASHIDI, J.]

(RAJARSHI BHARADWAJ, J.)