

JPD-27
Ct No.01
29.07.2024
S.Pal

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (NDPS) 359 of 2024

In Re: - An application for bail under Section 483 Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Jaigaon Police Station Case No.92/2024 dated 10.05.2024 under Sections 21(c)/29 of the NDPS Act, 1985.

And

In the matter of: Pemba Sherpa

...Petitioner

Mr. Hillol Saha Poddar
Ms. M. Das

...for the petitioner

Mr. Abhijit Sarkar
Ms. Namrata Das

...for the State

1. Learned counsel for the petitioner argues that although the recovery was allegedly from the house of the petitioner, it is not clear as to which part of the house it was recovered from, thereby casting a doubt on the process of seizure. Secondly, the seizure list depicts, as the place of seizure, only the general locality but not the house of the petitioner specifically.
2. Learned counsel for the State opposes the prayer of the petitioner.

3. We are of the opinion that the minor technical discrepancy made out by the petitioner does not justify mitigation of the rigour of Section 37 of the NDPS Act.
4. Accordingly, CRM (NDPS) 359 of 2024 is dismissed.

(Sabyasachi Bhattacharyya, J.)

(Prasenjit Biswas, J.)