

30.08.19

Sl. No.10

akd

Ct. No.1

[Rejected]

CALCUTTA HIGH COURT

In the Circuit Bench at Jalpaiguri

C. R. M. 836 of 2019

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 28.08.2019 in connection with Gorubathan Police Station Case No.15 of 2019 dated 23.03.2019 under Sections 18(c)/27(b) of Drugs & Cosmetics Act, 1940 read with Sections 21(i)/22(c) of the NDPS Act. (NDPS Case No.1 of 2019)

And

In Re: **Hyder Ali**

... .. Petitioner

Mr. Kallal Ghosh .. Advocate

... .. for the petitioner

Mr. Aditi Shankar Chakraborty .. Ld. Addl. Public Prosecutor

Mr. Sourav Ganguly .. Advocate

... .. for the State

The petitioner is seeking bail in connection with a case relating to offences punishable under Sections 18(c)/27(b) of Drugs & Cosmetics Act, 1940 read with Sections 21(i)/22(c) of the NDPS Act.

Having considered the materials on record disclosing prima facie involvement of the petitioner in the alleged crime arising out of recovery of narcotic substance i.e. 900 bottles of *Phensedyl syrup* containing *codeine mixture* from his residence, which is above commercial quantity and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined in granting bail to the petitioner.

The application for bail is thus **rejected**.

(Manojit Mandal, J.)

(Joymalya Bagchi, J.)

