

11.12.2019.
93.
as
(Rejected)

C.R.M. 10259 of 2019

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 01.08.2019 in connection with N.D.P.S. Case No.97 of 2020 arising out of Farakka P.S. Case No.110 of 2020 dated 13.05.2020 under Sections 21(b)/29 of the N. D. P. S. Act.

In the matter of : Ripon Sk.

... Petitioner.

Mr. Tapodip Gupta.

...for the Petitioner.

Mr. Swapan Banerjee,
Mr. Suman De.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

It is submitted on behalf of the petitioner that no narcotic substance was recovered from his possession.

Learned Advocate appearing for the State opposes the prayer for anticipatory bail.

Having considered the materials on record prima facie disclosing involvement of the petitioner in the alleged possession of 1050 bottles of phensedyl containing codeine phosphate which is above commercial quantity and in the light of the statutory restrictions under Section 37 of the N. D. P. S. Act, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Suvra Ghosh,J.)

(Joymalya Bagchi, J.)

