

20.04.2021

Item No.9

Ct.No.28

dc.

Rejected

C.R.M. 1473 of 2021

(Via Video Conference)

In Re : An Application for bail under Section 439 of the Code of Criminal Procedure.

And

In the matter of : **Humayun Sk @ Humayn Sk.**

... Petitioner.

Mr. Tapodip Gupta

... For the Petitioner.

Mr. Rudradipta Nandy

... For the State.

The present application under Section 439 of the Code of Criminal Procedure has been preferred by the petitioner in connection with N.D.P.S. Case No. 40 of 2020 arising out of Kandi P.S. Case No. 99 of 2020 dated 21.02.2020 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

We have perused the report submitted by the learned advocate for the State. The chemical examiner's report confirms the sample is of codeine phosphate which is contraband under the NDPS Act. As the seizure was effected from the possession of the present petitioner, the provision of Section 37 of the NDPS Act is attracted. Accordingly, we are

not inclined to release the petitioner on bail. As such, the petitioner's prayer for bail is **rejected**.

The compliance report so submitted be kept with the record.

The personal appearance of the Investigating Officer is dispensed with.

The application for bail, being CRM 1473 of 2021 is, thus, dismissed.

(Tirthankar Ghosh, J.)

(Soumen Sen, J.)