

07.12.2021
Sl. No.49
Aloke
[Rejected]

C. R. M. 5624 of 2021 [via video conferencing]

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.08.2021 in connection with Balurghat Police Station Case No. 491 of 2020 dated 09.12.2020 under Sections 411/414/188/224 of the Indian Penal Code read with Section 21(C)/22(C)/23(C)/25(C)/27(A)/28/29 of the NDPS Act and under Section 11(1)/d/e/f of the Prevention of Cruelty to the Animals Act.

And

In Re: **Paban Mondal**

... .. Petitioner

Mr. Utsav Dutta
Mr. Sourav Dutta

... .. for the petitioner

Mr. Swapan Banerjee
Ms. Purnima Ghosh

... .. for the State

Having considered the statement of the eye witnesses including the seizure list disclosing recovery of 100 bottles of phensedyl syrup containing codeine mixture above commercial quantity was recovered from the possession of the petitioner.

Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

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

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)