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(AD/
KC)

10.12.2021

Court No.28

(Rejected)

C.R.M. 8129 of 2021
(Via Video Conference)

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Jalangi** P.S. Case No.**16 of 2021** dated **14/01/2021** under Sections **21(c)/29** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: Biplab Sarkar @ Biplan Sarkar.

....petitioner.

Mr. Niladri Sekhar Ghosh

Ms. Sompurna Chatterjee

...for the petitioner.

Mr. Ranadeb Sengupta

... for the State.

Petitioner is in custody for 256 days.

Recovery was effected on the basis of the leading statement of the petitioner. Recovery is of narcotic substance i.e. 112 bottles of phensedyl containing codeine mixture above the commercial quantity. Such recovery was made in presence of independent witnesses.

In view of the aforesaid facts and the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

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

C.R.M. 8129 of 2021 is, thus, dismissed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)

