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(AD/
KC)

10.12.2021

Court No.28

(Rejected)

C.R.M. 8128 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.**790 of 2019** dated **20/11/2019** under Sections **21(c)/29** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: Siparul Sk.

....petitioner.

Mr. Niladri Sekhar Ghosh

Ms. Sompurna Chatterjee

...for the petitioner.

Mr. Nguive Ahmed

Ms. Trina Mitra

... for the State.

Petitioner renews the prayer for bail.

Petitioner is in custody for two years.

It is submitted that he has been falsely implicated in the instant case.

Learned lawyer for the State opposes the prayer for bail and submits that on the leading statement of the petitioner narcotic substance above commercial quantity was recovered.

We have considered the materials on the record. On the leading statement of the petitioner narcotic substance above the commercial quantity i.e. 60 bottles of phensedyl containing codeine was recovered. Recovery had been witnessed by independent persons.

In view of the aforesaid facts and the 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. 8128 of 2021 is, thus, dismissed.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)