

09.06.2022.
21.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 573 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N. 97 of 2021 arising out of Ashoknagar P. S. Case No.582 of 2021 dated 05.08.2021 under Sections 21(c)/29 of the N. D. P. S. Act.

In the matter of : Md. Sebgatullah @ Jamai.

... Petitioner.

Mr. Angshuman Chakraborty.

...for the Petitioner.

Mr. Sanjoy Bardhan,

Ms. Debjani Das Gupta.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioner is in custody for ten months. It is submitted that he has been falsely implicated in the instant case. It is further submitted petitioner validly carries on business in drugs.

Learned Advocate for the State opposes prayer for bail and submits a large quantity of cough syrup containing codeine phosphate was recovered from the possession of the co-accused. Statements of witnesses including the employee of the petitioner show that the contraband was sold from the shop of the petitioner. That apart, a large consignment of cough syrup containing codeine phosphate was also recovered from his possession.

We have considered the materials on record. Statements of witnesses prima facie show that the petitioner had illegally supplied cough syrup containing codeine phosphate to the co-

accused from whom contraband was recovered. On his leading statement, a large quantity of cough syrup containing codeine phosphate was also recovered.

In view of the aforesaid facts and in the light of the statutory restrictions under Section 37 of the N. D. P. S. Act, we are of the opinion that this is not a fit case to grant bail to the petitioner.

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

(Ananya Bandyopadhyay,J.)

(Joymalya Bagchi, J.)