

21.06.2022
Sl. No.10
akd
[Rejected]

C. R. M. (NDPS) 680 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 15.06.2022 in connection with Domkal Police Station Case No. 721 of 2021 dated 28.11.2021 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.265 of 2021)

And

In Re: ***Samsul Hoque @ Haque***

... .. Petitioner

Mr. Ali Ahsan Alamgir

Ms. Riya Das

Ms. Rabia Khatoon

... .. for the petitioner

Mr. Saryati Datta

... .. for the State

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 400 bottles of *phensedyl syrup* from a vehicle which was driven by the petitioner. In view of the primary role played by the petitioner in transporting narcotic substance above commercial quantity, we are of the opinion he does not stand on the same footing with co-accuseds who have been enlarged on bail. Under such circumstances and bearing in mind the statutory restrictions under Section 37 of the NDPS Act, we are not inclined in granting bail to the petitioner.

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

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

