

11.07.2022  
Sl. No.3  
**akd**  
[Rejected]

**C. R. M. (NDPS) 750 of 2022**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.07.2022 in connection with Taherpur Police Station Case No. 341 of 2021 dated 06.12.2021 under Section 21(c) of the NDPS Act. (NDPS Case No.137 of 2021)

And

In Re: ***Rajib Dey***

... .. Petitioner

Mr. Sourav Chatterjee

Mr. Soujanya Bandyopadhyay

... .. for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

... .. for the State

It is submitted on behalf of the petitioner he has been falsely implicated in the instant case.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 30 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the petitioner. Plea of false implication requires to be probalised during trial. In view of the aforesaid incriminating materials and 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**.

**(Ananya Bandyopadhyay, J.)**

**(Joymalya Bagchi, J.)**

