

03.08.2022
Sl. No.5
akd
[Rejected]

C. R. M. (NDPS) 876 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 28.07.2022 in connection with Nowda Police Station Case No. 197 of 2021 dated 27.08.2021 under Sections 22(c)/29 of the NDPS Act. (NDPS Case No.179 of 2021)

And

In Re: ***Jasimuddin Sk. @ Joshu***

... .. Petitioner

Mr. Arnab Chatterjee
Mr. Anisur Rahaman
Ms. Dhanasree Biswas

... .. for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta

... .. for the State

It is submitted on behalf of the petitioner recovery of narcotic substance was made from a place accessible to all. It is further submitted petitioner 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. Narcotic substance was recovered from the co-accused viz. Minarul Sk. On the statement of the said co-accused, complicity of the petitioner transpired. Petitioner made disclosure statement to police. This led to recovery of 20 bottles of *phensedyl syrup* containing *codeine phosphate* above commercial quantity. Such recovery has been witnessed by independent persons. In view of the aforesaid facts, we are not inclined in granting bail to the petitioner.

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

Chemical examiner's report be placed before the trial court at the earliest.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

