

18.08.2022
Sl. No.4
akd
[Rejected]

C. R. M. (NDPS) 934 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.08.2022 in connection with Raninagar Police Station Case No. 353 of 2021 dated 29.07.2021 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.155 of 2021)

And

In Re: ***Ajjul Molla & Anr.***

... .. Petitioners

Ms. Minoti Gomes
Mr. Mofakkerul Islam

... .. for the petitioners

Mr. Swapan Banerjee
Mr. Suman De

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for about 475 days.

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. 155 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the possession of the petitioners. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined in granting bail to the petitioners.

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

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)

