

24.08.2022
Sl. No.8
akd
[Rejected]

C. R. M. (NDPS) 958 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 18.08.2022 in connection with Burwan Police Station Case No. 346 of 2021 dated 05.12.2021 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.275 of 2021)

And

In Re: ***Jayanta Mondal @ Ramu Mondal & Anr.***

... .. Petitioners

Mr. Tapodip Gupta

... .. for the petitioners

Mr. Sanjay Bardhan
Mr. Palash Ch. Majhi

... .. for the State

It is submitted on behalf of the petitioners that they are in custody for about 265 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. 1400 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the joint possession of the petitioners. In view of the aforesaid fact and 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.)

