

08.09.2022.
06.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1026 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N Case No.97 of 2021 arising out of Ashok Nagar P.S. Case No.582 of 2021 dated 05.08.2021 under Sections 21(c)/29 of the N. D. P. S. Act.

In the matter of : Uttam Banik.

... Petitioner.

Mr. Shumit Sanyal,
Ms. Nasreen Islam.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Baishakhi Chatterjee.

...for the State.

Petitioner renews his prayer for bail. He submits no recovery of narcotics was made from him.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record which show recovery of 14,900 bottles of phensedyl containing codeine phosphate above commercial quantity from the possession of the petitioner and co-accused. Bail prayer of the petitioner was rejected earlier on merits.

Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)

