

19.09.2022

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rejected

C.R.M.(NDPS) No. 1050 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sagarpara Police Station Case No. 225 of 2021 dated 23.12.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Pintu Mondal petitioner

Mr. Tapodip Gupta

... for the petitioner

Mr. T. D. Nandy

Mr. Antarikhya Basu

... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 270 days. He prays for bail.

Learned Counsel appearing for the State opposes prayer for bail and submits statements of witnesses and contemporaneous document show recovery of 90 bottles of Phensedyl Syrup containing codeine phosphate from the petitioner.

Having considered the materials on record disclosing prima facie involvement of the petitioner in the alleged possession of 90 bottles of Phensedyl Syrup containing codeine phosphate which is above commercial quantity and in view of the statutory restrictions under Section 37 of the N.D.P.S. Act, we are of the opinion that this is not a fit case to grant bail to the petitioner.

Accordingly, prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

