

21.09.2022
Sl. No.6
akd
[Rejected]

C. R. M. (NDPS) 1039 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 07.09.2022 in connection with Berhampore Police Station Case No.155 of 2022 dated 05.02.2022 under Sections 22(c)/29 of the NDPS Act. (NDPS Case No.47 of 2022)

And

In Re: ***Krishnapada Mandal & Ors.***

... .. Petitioners

Mr. Tapodip Gupta

... .. for the petitioners

Mr. T. D. Nandy
Mr. Antarikhya Basu

... .. for the State

Report of the Registrar (IT), High Court, Calcutta is placed on record. Perused the report.

Heard the learned advocate appearing for both the parties.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 6548 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the possession of the petitioners. In view of the aforesaid incriminating materials and the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)