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rejected

C.R.M. (NDPS) No. 1416 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Goalpokher Police Station Case No. 84 of 2022 dated 01.03.2022 under Sections 21(c)/29 of the NDPS Act.

In Re : Nurul alias Nurulishal ... petitioner

Mr. Nimai Ray
Mr. Arnab Chatterjee

...for the petitioner

Mr. Sanjoy Bardhan
Mr. Palash Chandra Majhi

....for the State

Heard the learned Counsels appearing for the parties.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 1000 bottles of phensedyl syrup above commercial quantity from the possession of the petitioner.

In view of the aforesaid incriminating materials on record and 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.

Trial court is directed to consider the issue of framing of charge on the next date fixed and if it is unable to do so on the date so fixed, the exercise shall positively be made within three months thereof and in the event charge is framed to take the proceeding to its logical conclusion without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)