

07.11.2022
Sl. No.8
akd
[Rejected]

C. R. M. (NDPS) 1119 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.09.2022 in connection with Nabagram Police Station Case No. 284 of 2022 dated 02.08.2022 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.176 of 2022)

And

In Re: ***Samirul Sk. @ Somirul Sk. & Anr.***

... .. Petitioners

Mr. Mrityunjoy Chatterjee

... .. for the petitioners

Mr. Suman De

... .. for the State

It is submitted on behalf of the petitioners that they were illegally detained in the police station and falsely implicated in the instant case. No videography of the seizure was made.

Learned advocate appearing for the State submits report and disputes the contention raised by the petitioners.

We have considered the materials on record. Narcotic substance above commercial quantity i.e. 100 bottles of *phensedyl syrup* containing *codeine phosphate* were recovered from the possession of the petitioners. Seizure was not only videographed but witnessed by independent persons. In view of the aforesaid incriminating materials and 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.)

