

30.09.2022.
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(Rejected)

C.R.M. (NDPS) 1160 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Serampore Police Station Case No. 130/2020 dated 18.04.2020 under Section 21(c) of the NDPS Act and subsequently charged-sheeted Section 21(c) of the N.D.P.S. Act.

In the matter of : Sri Subhas Roy

... Petitioner.

Mr. Niladri Sekhar Ghosh
Mr. Jyoti Prokash Chatterjee
Ms. Srimoyee Mukherjee
Ms. Sompurna Chatterjee
Mr. Sourav Mondal

...for the Petitioner.

Mr. N. Ahmed, Ld. APP

....for the State

Heard the learned Advocates for the parties.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 1.5 litres of Codeine Mixture which is 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)