

09.11.2022.
16.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1312 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.188 of 2021 arising out of Bhagwangola P.S. Case No.416 of 2021 dated 04.09.2021 under Sections 21(c)/29 of the N. D. P. S. Act.

In the matter of : Mishrul Hoaque.

... Petitioner.

Mr. Ali Ahsan Alamgir,
Ms. Soma Mal.

...for the Petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Mainak Gupta.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Statements of witnesses and contemporaneous document show recovery of narcotic substance above commercial quantity i.e. 159 bottles of phensedyl syrup containing codeine phosphate from the possession of the petitioner.

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 petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)

