

22.11.2022
Sl. No.7
akd
[Rejected]

C. R. M. (NDPS) 1324 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 03.11.2022 in connection with Hasnabad Police Station Case No.467 of 2021 dated 29.07.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Md. Firoz Mondal***

... .. Petitioner

Mr. Angshuman Chakraborty

... .. for the petitioner

Mr. Sanjay Bardhan

Mr. Palash Ch. Majhi

... .. for the State

Supplementary charge sheet has been placed on record enclosing the chemical examiner's report. Chemical examiner's report show presence of *codeine phosphate* in the article seized from the petitioner. Recovery from the co-accused was made while he was in custody and there was no independent witness to the recovery. Petitioner does not stand on the same footing with the co-accused, who has been enlarged on bail. Under such circumstances, we are not inclined to grant bail to the petitioner.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)