

23.11.2022.
16.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1366 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N. 07 of 2022 arising out of Gaighata P.S. Case No.28 of 2022 dated 09.01.2022 under Sections 21(C) of the N. D. P. S. Act.

In the matter of : Gopal Biswas.

... Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha.

...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Arani Bhattacharyya.

...for the State.

Petitioner is in custody for 305 days. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses and contemporaneous document show recovery of narcotic substance above commercial quantity i.e. 148 bottles of phensedyl syrup containing codeine phosphate from the possession of the petitioner.

Under such circumstances and in view of 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.)

