

28.11.2022  
Sl. No.6  
**akd**  
[Rejected]

**C. R. M. (NDPS) 1397 of 2022**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.11.2022 in connection with Bhatpara Police Station Case No.696 of 2021 dated 21.11.2021 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.103 of 2021)

And

In Re: ***Harichand Biswas @ Raja & Anr.***

... .. Petitioners

Mr. Sabyasachi Mukherjee  
Mr. Bibek Dey

... .. for the petitioners

Mr. Saryati Datta

... .. for the State

Heard the learned advocate appearing for both the parties.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 132 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the possession of the petitioners. 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 petitioners.

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

Trial court is directed to expedite the trial and conclude the same at an early date.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**