

05.12.2022
Sl. No.7
akd
[Rejected]

C. R. M. (NDPS) 1427 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.11.2022 in connection with Jalangi Police Station Case No.04 of 2021 dated 04.01.2021 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.10 of 2021)

And

In Re: ***Juel Sk. @ Juhail Sk. Mondal***

... .. Petitioner

Ms. Chandrim Debnath

... .. for the petitioner

Mr. Binay Panda
Mrs. Puspita Saha

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than a year. It is further submitted recovery was made from a bamboo bush of one Kaimuddin Mondal. Petitioner is in no way connected with trafficking of narcotics.

Learned advocate appearing for the State opposes the prayer for bail.

We have considered the materials on record. On the leading statement of the petitioner, narcotic substance i.e. 48 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity was recovered. Recovery is witnessed by independent persons. 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.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

