

05.12.2022
Sl. No.10
akd
[Rejected]

C. R. M. (NDPS) 1430 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 30.11.2022 in connection with Raiganj Police Station Case No.952 of 2022 dated 25.07.2022 under Section 21(c) of the NDPS Act. (NDPS Case No.59 of 2022)

And

In Re: **Sanat Sarkar**

... .. Petitioner

Mr. Kushal Paul

... .. for the petitioner

Mr. Sanjay Bardhan
Ms. Baisakhi Chatterjee

... .. 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. 1000 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the joint possession of the petitioner and co-accused. 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.)