

07.12.2022
Sl. No.10
[Rejected]

C. R. M. (NDPS) 1446 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 02.12.2022 in connection with Bagdah Police Station Case No.888 of 2021 dated 22.12.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Azizul Biswas***

... .. Petitioner

Mr. Soujanya Bandyopadhyay

... .. for the petitioner

Mr. Saswata Gopal Mukherjee .. Id. Public Prosecutor

Mr. Sudip Ghosh

Mr. Apurba Kumar 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. 50 bottles of *phensedyl syrup*, 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**.

(Siddhartha Roy Chowdhury, J.)

(Joymalya Bagchi, J.)