

07.12.2022
Sl. No.16
[Rejected]

C. R. M. (NDPS) 1453 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 Domkal Police Station Case No.108 of 2022 dated 23.02.2022 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.63 of 2022)

And

In Re: ***Afarul Sk. & Ors.***

... .. Petitioners

Mr. Tapodip Gupta

... .. for the petitioner

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. 300 bottles of *phensedyl syrup*, which is above commercial quantity from the possession of the petitioners. Bail prayer of the petitioners was rejected earlier. 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**.

(Siddhartha Roy Chowdhury, J.)

(Joymalya Bagchi, J.)