

19.12.2022

7
sdas
rejected

C.R.M. (NDPS) No. 1497 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Basirhat Police Station Case No. 394 of 2022 dated 16.06.2022 under Section 21(c) of the NDPS Act.

And

In Re : Saiful Islam Dhali petitioner

Mr. Kallol Kumar Basu

Md. Jannat Ul Firdous

Ms. Tithi Mazumder

... for the petitioner

Mr. Sanjoy Bardhan

Mr. Palash Chandra Majhi

... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 186 days. It is also submitted that he has been falsely implicated.

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

We have considered the materials on record. Statements of the witnesses and contemporaneous document i.e. seizure memorandum show recovery of 100 bottles of Phensedyl Syrup containing codeine phosphate above commercial quantity from the possession of the petitioner.

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.)

