

20.12.2022.
14.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1505 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N 55 of 2022 arising out of Bongaon P.S. Case No.393 of 2022 dated 19.04.2022 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Tanmoy Halder.

... Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha.

...for the Petitioner.

Mr. Tapan Deb Nandy,
Mr. Antarikhya Basu.

...for the State.

Petitioner is in custody for 245 days. He prays for bail.

Learned Advocate for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotic substance above commercial quantity i.e. 204 bottles of phensedyl syrup containing codeine phosphate from the possession of the petitioner.

Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)

