

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

27.09.2022.
06.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 324 of 2022

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS 72 of 2021 arising out of Bhaktinagar P.S. Case No.1126 of 2021 dated 28.08.2021 under Sections 21(b)/22(b)/29 of the NDPS Act and charge sheet submitted under Sections 21(c)/22(c) of the NDPS Act.

In the matter of : Palash Mandal & Anr. ... Petitioners.

Ms. Madhushri Dutta.

...for the Petitioners.

Mr. Aditi Shankar Chakraborty, Id. A.P.P.,

Mr. Ujjwal Luksom,

Mr. Sourav Ganguly.

...for the State.

Petitioner is in custody for 30 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 show recovery of 50 bottles of phensedyl syrup containing codenine mixture which is above commercial quantity from the possession of the petitioner.

In view of the aforesaid circumstances and the 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.)