

05.01.2023.
13.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 3 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 115 of 2021 arising out of Krishnaganj P.S. Case No.258 of 2021 dated 20.10.2021 under Sections 20(b)/20(c) of the NDPS Act.

In the matter of : Jagabandhu Choudhary.

... Petitioner.

Mrs. Karabi Roy.

...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Baishakhi Chatterjee.

...for the State.

Petitioner is in custody for one year and two months. He submits he has been falsely implicated in the instant case. He renews his prayer 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 72 bottles of phensedyl syrup containing codeine phosphate 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.

We request the trial court to conclude the trial at an early date preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournments to either of the parties.

(Ajay Kumar Gupta,J.)

(Joymalya Bagchi, J.)