

25.01.2023

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rejected

C.R.M. (NDPS) No. 28 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure arising out of Matia Police Station Case No. 351 of 2021 dated 22.08.2021 under Section 21(c) of the NDPS Act.

And

In Re : Masiur Rahaman alias Sariful petitioner

Mr. Manab Kumar Gupta

Mr. Tanmoy Roy

Ms. Moumita Gupta

... for the petitioner

Mr. Ranadeb Sengupta

... for the State

Chemical examiner's report is placed on record. It shows presence of codeine phosphate in the analysed sample.

In view of the aforesaid fact and other materials on record showing recovery of codeine phosphate above commercial quantity from the petitioner and in view of statutory restrictions under Section 37 of the NDPS Act, we are of the opinion this is not a fit case to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

