

11.01.2023

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rejected

C.R.M. (NDPS) No. 34 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Krishnaganj Police Station Case No. 184 of 2022 dated 27.05.2022 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Sandip Halder petitioner

Mr. Prabir Majumder

... for the petitioner

Mr. Swapan Banerjee

Mr. Suman De

... for the State

Learned Counsel appearing for the petitioner submits he is in custody for 231 days. He prays for bail.

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 narcotic substance i.e. 9000 bottles of Phensedyl Syrup containing codeine phosphate which is 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.)

