

20.01.2023.
28.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 92 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 43 of 2022 arising out of Ranaghat P.S. Case No.387 of 2022 dated 03.06.2022 under Sections 21(C) of the NDPS Act.

In the matter of : Subir Saha.

... Petitioner.

Mr. Ayan Basu,
Sk. Salim,
Mr. Sumit Routh.

...for the Petitioner.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee.

...for the State.

Petitioner is in custody for 231 days. He prays for bail.

Learned Advocate for the State opposes the bail prayer.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 20 bottles of cough syrup containing codeine phosphate above commercial quantity from the possession of the petitioner.

In view of the aforesaid incriminating materials and 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.)

