

01.02.2023

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rejected

C.R.M.(NDPS) No. 111 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Basirhat Police Station Case No. 892 of 2021 dated 14.12.2021 under Sections 21(c)/29 of the NDPS Act and Sections 25/27 of the Arms Act.

And

In Re : Alamin Mondal & Anr. petitioners

Mr. Tarasankar Bhattacharjee
... for the petitioners

Mr. Sudip Ghosh
Mr. Apurba Kumar Datta
... for the State

Supplementary charge-sheet enclosing chemical examiner's report has been filed.

We have considered the materials on record. Statements of witnesses and chemical examiner's report prima facie establish the prosecution case of recovery of narcotic substance above commercial quantity i.e. 10 liters of codeine mixture from the petitioners.

In view of the aforesaid materials and the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

