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rejected

C.R.M.(NDPS) No. 232 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chapra Police Station Case No. 483 of 2022 dated 09.08.2022 under Sections 21/23 of the NDPS Act and charge-sheet submitted under Sections 21/23/29 of the NDPS Act.

And

In Re : Noorjamal Mondal @ Noor Jamal petitioner

Mr. Arnab Chatterjee

... for the petitioner

Mr. Swapan Banerjee

Mr. Suman De

.... for the State

Learned Counsel for the petitioner submits he is in custody for 180 days. It is also submitted that he has been falsely implicated. He prays for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. Case involves a daring attack on BSF personnel who raided the house of one Shafiq Mandal and recovered a large consignment of phensedyl syrup. Petitioner was arrested in the course of investigation. On his leading statement 51 bottles of phensedyl syrup has been recovered. In view of the aforesaid incriminating materials, gravity of the offence and 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.)