

17.03.2023
Sl. No.5
akd
[Rejected]

C. R. M. (NDPS) 292 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.02.2023 in connection with Jiaganj Police Station Case No.141 of 2022 dated 27.05.2022 under Section 22(c) of the NDPS Act. (NDPS Case No.124 of 2022)

And

In Re: ***Dhananjoy Mondal***

... .. Petitioner

Mr. Arnab Chatterjee

... .. for the petitioner

Mr. T. D. Nandy
Mr. Antarikhya Basu

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for about ten months.

Chemical examiner's report is placed on record.

Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 5 ltrs. of *codeine mixture*, which is above commercial quantity from the petitioner. Chemical examiner's report confirms the prosecution case. 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.)