

23.02.2023.  
14.  
Ct.No.28  
as  
(Rejected)

**C.R.M. (NDPS) 326 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 19 of 2022 arising out of Karandighi P.S. Case No.93 of 2022 dated 22.02.2022 under Section 21(C) of the NDPS Act.

In the matter of : Yakub Ali.

... Petitioner.

Mr. Kunal Ganguly.

...for the Petitioner.

Mr. Saryati Datta.

...for the State.

Petitioner is in custody for one year. 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 show recovery of 30 bottles of phensedyl syrup from 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.

Accordingly, the prayer for bail of the petitioner is rejected.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**

