

13.03.2023
tkm/ct 28
sl no.63

C.R.M. (NDPS) 339 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Goalpokhor P.S case no. 71 of 2022 dated 16.2.2022 under sections 21(c) of the NDPS Act

And

In Re : Veer Bhan Singh petitioner

Mr. N S Ghosh
Ms. S Chatterjee
Mr. S Mondal

..... for the petitioner

Mr. M Sur
Mr. M Mahata

..... for the State

Medical report is placed on record. Histopathology report does not show malignancy. But more representative biopsy has been advised if suspicion of malignancy persists.

Under such circumstances, we are not inclined to grant bail to the petitioner on health grounds.

On merits, we note statement of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 200 bottles of cough syrup containing codeine phosphate above commercial quantity. Under such circumstances and in view of the statutory restriction under section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

Accordingly, prayer for bail is rejected.

Appropriate medical attention be extended to the petitioner as and when necessary.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)