

27.03.2023.
03.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 374 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.23 of 2021 arising out of Sagarpara P.S. Case No.16 of 2021 dated 22.01.2021 under Sections 188/353/307/379/411/34 of the Indian Penal Code and Sections 21(c)/29 of the NDPS Act.

In the matter of : Mojibar Rahaman Biswas & Ors.
... Petitioners.

Mr. Arnab Chatterjee,
Mr. Jishan Iqbal Hossain,
Ms. Chandrima Debnath.

...for the Petitioners.

Mr. Sanjoy Bardhan,
Mr. Palash Ch. Majhi.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record.
Chemical report is filed. Report discloses presence of codeine phosphate in the sample.

In view of the aforesaid facts and other incriminating materials disclosing recovery of narcotics above commercial quantity i.e. 200 bottles of phensydel syrup containing codeine phosphate from the joint possession of the petitioners and in view of statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.

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

Trial court is requested to expedite the trial and conclude the same at an early date without granting unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)