

27.03.2023.
04.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 377 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N Case No.156 of 2021 arising out of Duttapukur P.S. Case No.1010 of 2021 dated 22.11.2021 under Sections 21(C)/29 of the NDPS Act.

In the matter of : Alauddin Khan @ Fikir.
... Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha.
...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Debjani Dasgupta.
...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 5 ltrs. of codeine phosphate from the petitioner.

We are also informed chemical examiner's report has been obtained. Chemical examiner's report shows presence of codeine phosphate in the sample.

Under such circumstances and in view of 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.)