

20.03.2023
Sl. No.10
akd
[Rejected]

C. R. M. (NDPS) 412 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.03.2023 in connection with Hogolberia Police Station Case No.238 of 2022 dated 25.07.2022 under Section 21(c) of the NDPS Act. (NDPS Case No.54 of 2022)

And

In Re: ***Sourav Mondal @ Sourab Mondal & Anr.***

... .. Petitioners

Mr. Priyankar Ganguly
Ms. Shalini Bairagi

... .. for the petitioners

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Mr. Subrato Roy

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 250 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the petitioners. 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 petitioners.

The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)