

21.03.2023.
11.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 435 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 98 of 2020 arising out of Kaliachak P.S. Case No.1026 of 2020 dated 14.12.2020 under Sections 21(c)/29 of the NDPS Act read with Section 18(b)/27 of the Drugs and Cosmetics Act, 1940.

In the matter of : Rakimuddin Sk. @ Rakmu & Anr.
... Petitioners.

Mr. Rana Mukhopadhyay,
Mr. Rhiddhiman Mukherjee.
...for the Petitioners.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Arani Bhattacharyya.
...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 60 litres of codeine phosphate from joint possession of petitioners and co-accused. Their bail prayer was rejected earlier. Charge has already been framed. .

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 petitioners.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)