

21.03.2023.
16.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 440 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 139 of 2022 arising out of Berhampore P.S. Case No.735 of 2022 dated 03.06.2022 under Sections 22(c)/29 of the NDPS Act.

In the matter of : Abdul Halim @ Bhuttu.

... Petitioner.

Mr. Arnab Chatterjee,
Ms. Chandrima Debnath,
Ms. Paulami Bose.

...for the Petitioner.

Mr. Binay Panda,
Ms. Puspita Saha.

...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 75 bottles of phensedyl syrup containing codeine mixture above commercial quantity from the petitioner.

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.)

