

22.03.2023

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rejected

C.R.M. (NDPS) No. 450 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhagwangola Police Station Case No. 102 of 2022 dated 18.02.2022 under Sections 20(b)(ii)(B)/21(c)/29 of the NDPS Act.

And

In Re : Rabbekul Sk. @ Rabbekul Islam petitioner

Mr. Tapodip Gupta

... for the petitioner

Mr. S. G. Mukherji, learned PP

Mr. Partha Pratim Das

Ms. Manasi Roy

... for the State

Learned Counsel for the petitioner submits he is in custody for more than a year. It is also submitted that no chemical examiner's report has been filed.

Learned Counsel for the State submits chemical examiner's report before us.

Materials on record show recovery of 10kgs. of Ganja and 70 bottles of Phensedyl Syrup containing codeine phosphate above commercial quantity from the vehicle of the petitioner. Chemical examiner's report has been placed on record.

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.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

