

22.03.2023

10

sdas
rejected

C.R.M. (NDPS) No. 454 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Ashoknagar Police Station Case No. 582 of 2021 dated 05.08.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Sumit Sarkar & Anr. petitioners

Mr. Angshuman Chakraborty

... for the petitioners

Mr. Rudradipta Nandy, learned APP

Mr. Subrato Roy

... for the State

Learned Counsel for the petitioners submits they are in custody for one year and eight months. They pray for bail.

Learned Counsel for the State opposes the prayer for bail.

We have considered the materials on record. 14000 bottles of codeine phosphate were recovered from the petitioner and co-accused. Bail prayer of petitioner no. 1 was rejected earlier on merits. Trial has already commenced.

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.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

