

21.04.2023
Sl. No.5
akd
[Rejected]

C. R. M. (NDPS) 483 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 Minakhan Police Station Case No.56 of 2022 dated 14.03.2022 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Palash Das***

... .. Petitioner

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

... .. for the petitioner

Mr. Binay Panda
Mrs. Puspita Saha

... .. for the State

Heard the learned Advocates appearing for both the parties.

Report is placed on record.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 5.5 ltrs. of *codeine mixture*, which is above commercial quantity from the petitioner.

Learned Advocate for the State submits chemical examiner's report shall be filed within a couple of weeks.

In view of the aforesaid fact and the materials on record including 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.

Chemical examiner's report be filed before the trial court at the earliest.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

