

21.06.2023

Sl. 2

Court No. 29

Sourav

(Rejected)

C.R.M. (NDPS) 556 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure in connection with **Lalgola** Police Station Case No. **756** of **2021** dated **25.10.2021** under Sections **21(c)** of the Narcotic Drugs and Psychotropic Substance Act, 1985, corresponding to NDPS Case No. **231** of **2021**.

And

In the matter of: **Ataur Rahaman**

....petitioner.

Mr. Tapodip Gupta

...for the petitioner.

Mr. Antarikhya Basu

...for the State.

1. A copy of C.E. report filed by learned Counsel for the State be accepted on record.
2. Heard learned Counsel for the parties.
3. In view of the fact that 3.4 litre of codeine phosphate mixture (commercial quantity) has been seized from the possession of the petitioner and bar under Section 37 of the NDPS Act, we are not inclined to exercise our discretion under Section 439 Cr.P.C. in favour of the petitioner at this stage.
4. Accordingly, the prayer for bail is rejected.
5. The application being **CRM (NDPS) 556 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

