

12.04.2023  
Sl. No.11  
**akd**  
[Rejected]

**C. R. M. (NDPS) 557 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 22.03.2023 in connection with Raninagar Police Station Case No.495 of 2021 dated 27.11.2021 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.267 of 2021)

And

In Re: ***Dwijendranath Sarkar***

... .. Petitioner

Mr. Tapodip Gupta

... .. for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

... .. for the State

Chemical examiner's report is placed on record. Report shows presence of *codeine phosphate* in the sample.

In view of the aforesaid report and other materials on record showing recovery of narcotic substance i.e. 300 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the petitioner and the 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.)**