

29.03.2023.
20.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 566 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.185 of 2022 arising out of Jalangi P.S. Case No.265 of 2022 dated 19.08.2022 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Yanush Malitha @ Kalu.

... Petitioner.

Ms. Chandrima Debnnath.

...for the Petitioner.

Mr. Avishek Sinha.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotics above commercial quantity i.e. 186 bottles of phensedyl syrup containing codeine phosphate from the petitioner.

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.

Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)