

12.04.2023.
14.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 571 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.01 of 2022 arising out of Beldanga PS Case No.699 of 2021 dated 25.12.2021 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Md. Humayun Kabir @ Humayun & Anr.
... Petitioners.

Mr. Arnab Chatterjee,
Mr. Anisur Rahman,
Ms. Dhanasree Biswas,
Ms. Poulami Bose.

...for the Petitioners.

Mr. Saryati Datta.

...for the State.

Heard the learned Advocates for the parties.

Chemical examiner's report is placed on record.

Report shows presence of codeine phosphate in the sample.

In the light of the aforesaid materials on record showing recovery of 44 bottles of phensedyl syrup containing codeine phosphate above commercial quantity from the petitioners and in view of statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)