

30.03.2023.
22.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 589 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.39 of 2020 arising out of Kandi P.S. Case No.93 of 2020 dated 20.02.2020 under Section 21(c)/29 of the NDPS Act.

In the matter of : Mensar Sk. & Anr.

... Petitioners.

Mr. Manas Kr. Das.

...for the Petitioners.

Mr. Binay Panda,
Ms. Puspita Saha.

...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. 50 bottles of codeine phosphate from the petitioners. Their bail prayer was rejected on merits earlier. Trial has commenced.

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 petitioners.

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

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)