

02.05.2023.
02.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 635 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.115 of 2021 arising out of Suti P.S. Case No.230 of 2021 dated 22.06.2021 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Abdul Barik. ... Petitioner.

Mr. Arnab Chatterjee,
Mr. Jissan Iqbal Hossain,
Ms. Dhanasree Biswas,
Ms. Poulami Bose,
Ms. Chandrima Debnath.

...for the Petitioner.

Mr. Binay Panda,
Ms. Puspita Saha.

...for the State.

Heard the learned Advocates for the parties.

Chemical examiner's report is placed on record. The report discloses presence of codeine phosphate in the sample. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 10 ltrs. of 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.)