

05.04.2023.
28.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 664 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.11 of 2021 arising out of Uttarpa P.S. Case No.82 of 2021 dated 04.03.2021 under Section 21(C) of the NDPS Act.

In the matter of : Rabi Kanjilal & Anr.

... Petitioners.

Mr. Arunava Ganguly.

...for the Petitioners.

Mr. Sudip Ghosh,
Mr. Bitasok Banerjee.

...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. 2.5 ltrs. of codeine mixture from the joint possession of the petitioners. Trial is in progress.

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.)