

06.04.2023.
17.
Ct.No.28
(Rejected)

C.R.M. (NDPS) 677 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 121 of 2021 arising out of Berhampore P.S. Case No.632 of 2021 dated 26.06.2021 under Sections 22(c)/29 of the NDPS Act.

In the matter of : Badal Sk.

... Petitioner.

Mr. Anisur Rahman.

...for the Petitioner.

Mr. Arijit Ganguly,
Mr. Sanjib Kr. Dan.

...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. 80 bottles of phensedyl syrup containing codeine phosphate from the petitioner and co-accused. Date has been fixed for recording evidence.

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.)

