

10.04.2023.  
18.  
Ct.No.28  
as  
(Rejected)

**C.R.M. (NDPS) 685 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Special Case No.03 of 2022 arising out of Burdwan P.S. Case No.1487 of 2021 dated 29.12.2021 under Sections 21(c) of the NDPS Act.

In the matter of : Md. Nasim Sk.

... Petitioner.

Sk. Salim.

...for the Petitioner.

Mr. T. D. Nandy,  
Mr. Antarikhya Basu.

...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. 2.7 ltrs. of codeine mixture from the petitioner. 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 petitioner.

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

**(Partha Sarathi Sen, J.)**

**(Joymalya Bagchi, J.)**