

17.07.2023.
15.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 708 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.30 of 2022 arising out of Dhantala P.S. Case No.303 of 2022 dated 13.05.2022 under Sections 21(c) of the NDPS Act.

In the matter of : Saheb Sajjal.

... Petitioner.

Mr. Kushal Kr. Mukherjee,
Ms. Eshita Aich.

...for the Petitioner.

Mr. Saryati Datta.

...for the State.

Heard the learned Advocates for the parties.

Chemical examiner's report is placed on record. Report shows presence of codeine phosphate in the sample. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 20 bottles of phensedyl syrup containing 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.)