

25.04.2023.
05.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 711 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.194 of 2020 arising out of Samsherganj P.S. Case No.167 of 2020 dated 19.08.2020 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Saheb Sk.

... Petitioner.

Mr. Jisan Iqubal Hossain,
Ms. Chandrima Debnath,
Mr. Karnel Mondal.

...for the Petitioner.

Mr. Partha Pratim Das,
Mrs. Manisha Roy,
Mr. Arani Bhattacharya.

...for the State.

Heard the learned Advocates for the parties.

Chemical report is placed on record. Chemical report shows presence of codeine phosphate in the sample. Statement of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 10 ltrs. of codeine mixture from the petitioner. Trial is in progress.

In view of the aforesaid facts and 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.)