

18.04.2023

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rejected

C.R.M. (NDPS) No. 808 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bally Police Station Case No. 49 of 2022 dated 25.03.2022 under Section 21(c) of the NDPS Act.

And

In Re : Nabin Upadhyay petitioner

Mr. Pawan Kumar Gupta

Ms. Safia Nesar

Mr. S. Sett

... for the petitioner

Mr. Sanjib Kumar Dan

... for the State

Heard the learned Counsels for the parties.

Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotics i.e. three liters of Codeine Mixture above commercial quantity from the possession of the petitioner.

In view of the aforesaid circumstances and statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

