

13.04.2023
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rejected

C.R.M. (NDPS) No. 743 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sagarpara Police Station Case No. 28 of 2022 dated 07.02.2022 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Safikul Islam petitioner

Mr. Tapodip Gupta

... for the petitioner

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

... for the State

Chemical examiner's report is placed on record.

Aforesaid report shows presence of Codeine Phosphate in the sample.

Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotics i.e. 235 bottles of Phensedyl Syrup containing Codeine Phosphate 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.)

