

15.05.2023

2
as/sdas
rejected

C.R.M. (NDPS) No. 746 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kandi Police Station Case No. 505 of 2021 dated 22.09.2021 under Sections 21(c) of the NDPS Act.

And

In Re : Sk. Samad petitioner

Mr. Somnath Adhikary

... for the petitioner

Mr. Madhu Sudan Sur, learned APP

Mr. Manoranjan Mahata

... for the State

Heard the learned Counsels for the parties.

Chemical examiner's report is placed on record.

Chemical report shows presence of codeine phosphate in the sample. Statements of witnesses and contemporaneous document i.e. seizure memorandum prima facie establish recovery of 5 liters of Codeine Mixture from 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.)

