

15.05.2023

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as/sdas
rejected

C.R.M. (NDPS) No. 755 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Chapra Police Station Case No. 528 of 2021 dated 06.12.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Samirul Piyada petitioner

Mr. Arnab Chatterjee
Mr. Amanul Islam
Mr. Sourav Mukherjee
Ms. Poulami Bose

... for the petitioner

Mr. Saryati Datta

... 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 299 bottles of Phensedyl 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.)

