

18.04.2023
Sl. No.12
akd
[Rejected]

C. R. M. (NDPS) 766 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.04.2023 in connection with Swarupnagar Police Station Case No.1115 of 2021 dated 29.12.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Rajesh Mallick & Anr.***

... .. Petitioners

Mr. Ashok Kumar Chowdhury

... .. for the petitioners

Mr. Ranabir Roy Chowdhury

Mr. Mainak Gupta

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 4 kgs. of *codeine mixture*, which is above commercial quantity from the petitioners. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.

The application for bail is thus rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)