

16.05.2023

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rejected

C.R.M. (NDPS) No. 777 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Petrapole Police Station Case No. 210 of 2021 dated 10.11.2021 under Section 21(c ) of the NDPS Act.

And

In Re : Selim Sk. @ Salim Shekh ..... petitioner

Mr. Surajit Basu

... for the petitioner

Mr. Saibal Bapuli, learned APP

Mr. Arani Bhattacharya

... 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 narcotic substance in the vehicle. Petitioner was present in the vehicle.

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.)**

