

18.04.2023

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rejected

C.R.M. (NDPS) No. 783 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Lalgola Police Station Case No. 342 of 2021 dated 21.05.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Badsha Sk. & Anr. petitioners

Mr. Tapodip Gupta

... for the petitioners

Mr. Binay Panda

Ms. Puspita Saha

... for the State

It is contended by the learned Counsel for the petitioners that chemical examiner's report has not been placed before the trial court.

Learned Counsel for the State submits chemical examiner's report. It shows presence of Codeine Phosphate in the sample.

Materials on record prima facie establish recovery of 100 bottles of Phensedyl Syrup containing Codeine Phosphate above commercial quantity from the possession of the petitioners.

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 petitioners.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

