

18.04.2023

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rejected

C.R.M. (NDPS) No. 784 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhagwangola Police Station Case No. 188 of 2022 dated 25.03.2022 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Rohim Sk. petitioner

Mr. Tapodip Gupta

... for the petitioner

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

Mr. A. K. Datta

... for the State

Chemical examiner's report has been placed before the trial court. 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 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.)

