

19.04.2023

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rejected

C.R.M. (NDPS) No. 789 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sagarpara Police Station Case No. 224 of 2022 dated 14.09.2022 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Mohidul Sarkar petitioner

Mr. Jisan Hossain

Ms. Chandrima Debnath

Mr. Karna Mondal

... for the petitioner

Mr. Rudradipta Nandy, learned APP

... for the State

Heard the learned Counsels for the parties.

Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of narcotics i.e. 320 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.

Chemical examiner's report be placed before the trial court at the earliest.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

