

19.04.2023

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rejected

C.R.M. (NDPS) No. 792 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Berhampore Police Station Case No. 681 of 2021 dated 09.07.2021 under Sections 22(c)/29 of the NDPS Act.

And

In Re : Jinarul Mondal petitioner

Mr. Arnab Chatterjee

Ms. Dhanasree Biswas

... 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. 90 bottles of Phensedyl Syrup containing Codeine Phosphate above commercial quantity from the joint possession of the petitioner and co-accused. Chemical examiner's report showing presence of Codeine Phosphate in the sample has also been filed. Charge has been framed.

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.)

