

17.05.2023
Sl. No.4
akd
[Rejected]

C. R. M. (NDPS) 804 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 12.04.2023 in connection with Beldanga Police Station Case No.708 of 2021 dated 30.12.2021 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.08 of 2022)

And

In Re: ***Habibur Molla***

... .. Petitioner

Mr. Arnab Chatterjee

... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor

Mr. Bibaswan Bhattacharya

... .. for the State

Chemical examiner's report is placed on record. Report shows presence of *codeine phosphate* in the sample.

In view of the aforesaid report and other materials on record showing recovery of narcotic substance i.e. 55 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the petitioner and the 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.)