

24.04.2023.
25.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 850 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.115 of 2022 arising out of Sagarpara P.S. Case No.92 of 2022 dated 07.05.2022 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Alamgir Sk.

... Petitioner.

Mr. Anisur Rahman.

...for the Petitioner.

Mr. Sanjib Kr. Dan.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum *prima facie* disclose recovery of 230 bottles of phensedyl syrup containing codeine phosphate above commercial quantity from the petitioner.

Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

Chemical report be filed at the earliest before the trial court.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)