

28.04.2023

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rejected

C.R.M. (NDPS) No. 885 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Malda Police Station Case No. 556 of 2021 dated 12.11.2021 under Sections 21(c)/29 of the NDPS Act read with Sections 18(b)/27 of the Drugs and Cosmetics Act.

And

In Re : Masroor petitioner

Mr. Debapriya Majumder

... for the petitioner

Mr. Antarikhya Basu

... 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. 20,000 bottles of Phensedyl Syrup containing Codeine Phosphate above commercial quantity from the joint possession of the petitioner and co-accused. Delay in the matter is due to abscondence of co-accused.

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.)

