

28.04.2023.
16.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 891 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.189 of 2021 arising out of Raninagar P.S. Case No.403 of 2021 dated 08.09.2021 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Tapas Mondal.

... Petitioner.

Mr. Arnab Chatterjee,
Mr. Anisur Rahman,
Ms. Dhanasree Biswas,
Ms. Poulami Bose,
Mr. Jyoti Agarwal.

...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Bibaswan Bhattacharyya,
Mr. Arijit Ganguly.

...for the State.

Heard the learned Advocates for the parties.

Chemical report is placed on record. Report shows presence of codeine phosphate in the sample. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 116 bottles of phensedyl syrup containing codeine phosphate 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)