

01.05.2023
Sl. No.16
akd
[Rejected]

C. R. M. (NDPS) 904 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 21.04.2023 in connection with Eco Park Police Station Case No.179 of 2020 dated 25.09.2020 under Section 21(c) of the NDPS Act.

And

In Re: **Montu Ghorami**

... .. Petitioner

Mr. Ashok Kumar Chowdhury
Ms. Oindri Chowdhury
Mr. Debasish Sutradhar

... .. for the petitioner

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor
Mrs. Sonali Das

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 2 ltrs. of *codeine phosphate*, which is above commercial quantity from the petitioner. Trial is in progress. Two witnesses have already been examined. Under such circumstances and in view of 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.)