

02.05.2023
Sl. No.20
akd
[Rejected]

C. R. M. (NDPS) 916 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 25.04.2023 in connection with Islampur Police Station Case No.102 of 2022 dated 01.02.2022 under Sections 21(c)/23(c) of the NDPS Act. (NDPS Case No.11 of 2022)

And

In Re: ***Md. Kabul @ Kabul***

... .. Petitioner

Mr. Sagnik Mukherjee

... .. for the petitioner

Mr. Swapan Banerjee

Mr. Suman De

... .. 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. 25 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the petitioner. 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.)