

17.05.2023
Sl. No.22
akd
[Rejected]

C. R. M. (NDPS) 1012 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 11.05.2023 in connection with Farakka Police Station Case No.176 of 2022 dated 03.06.2022 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.140 of 2022)

And

In Re: ***Alim Sk.***

... .. Petitioner

Mr. Tapodip Gupta

... .. for the petitioner

Mr. Saibal Bapuli .. Id. Addl. Public Prosecutor

Mr. Bibaswan Bhattacharya

... .. 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. 75 bottles of *cough syrup* containing *codeine phosphate*, which is above commercial quantity from the petitioner. He has not been able to justify licit possession of the said article. 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.)