

19.06.2023

Sl. 6

Court No. 29

Sourav

(Rejected)

**C.R.M. (NDPS) 1035 of 2023**

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with **Jalangi** Police Station Case No. **334** of **2022** dated **27.10.2022** under Sections **21(c)/29** of the Narcotic Drugs and Psychotropic Substance Act, 1985, corresponding to NDPS Case No. **206** of **2022**.

And

In the matter of: **Indadul Shah**

....petitioner.

Mr. Arnab Chatterjee  
Mr. Jisan Iqbal Hossain  
Ms. Poulami Bose  
Mr. Chandrima Debnath

...for the petitioner.

Mr. Binay Panda  
Ms. Puspita Saha

...for the State.

1. Heard learned Counsel for the parties.
2. From the materials on record, it is found that 70 bottles of phensedyl was seized from the possession of the petitioner which is admittedly commercial quantity.
3. Regard being had to the gravity of offence and the bar under Section 37 of the NDPS Act, we are not inclined to exercise discretion in favour of the petitioner under Section 439 Cr.P.C. at this stage.
4. Accordingly, the prayer for bail is rejected.
5. The application being **CRM (NDPS) 1035 of 2023** is dismissed.

**(Chitta Ranjan Dash, J.)**

**(Partha Sarathi Sen, J.)**

