

05.06.2023
as/ tkm/ct 28
sl no. 12

C.R.M. (NDPS) 1040 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kandi P.S. Case No. 344 of 2022 dated 21.6.2022 under section 21(c)/29 of the NDPS Act

And

In Re : Sahidul Sk @ Tota & Anr. petitioners

Mr. Jisam Hossin

Ms. C Debnath

Mr. K Mondal

..... for the petitioners

Mr. Swapan Banerjee

Mr. Suman De

..... for the State

Chemical report is placed on record. It shows presence of codeine phosphate in the sample. Statements of witnesses and contemporaneous documents i.e. seizure memo shows recovery of narcotics above commercial quantity i.e. 10 ltrs. of codeine mixture 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.

Accordingly, the prayer for bail is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)