

19.06.2023

Sl. 8

Court No. 29

Sourav

(Rejected)

C.R.M. (NDPS) 1049 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure connection with **Raghunathganj** Police Station Case No. **549** of **2022** dated **01.07.2022** under Sections **21(c)/29** of the Narcotic Drugs and Psychotropic Substance Act, 1985, corresponding to NDPS Case No. **162** of **2022** and Sections **182/465/468/471/475/120** IPC.

And

In the matter of: **Dulal Sk.**

....petitioner.

Mr. Tapodip Gupta

...for the petitioner.

Mr. Swapan Banerjee

Mr. Anindya Sundar Chatterjee

...for the State.

1. A copy of Chemical Examination Report filed in Court today be taken on record.
2. Heard learned Counsel for the parties.
3. From the materials on record, it is found that 40 litres of codeine mixture were seized from the possession of the petitioner which is admittedly commercial quantity.
4. 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.
5. Accordingly, the prayer for bail is rejected.
6. The application being **CRM (NDPS) 1049 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

