

05.07.2023.
28.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1071 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.120 of 2022 arising out of Raninagar P.S. Case No.176 of 2022 dated 12.05.2022 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Faizul Sk.

... Petitioner.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha.

...for the Petitioner.

Mr. Swapan Banerjee,
Mr. Suman De.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum shows recovery of narcotics above commercial quantity i.e. 150 bottles of phensedyl syrup containing codeine phosphate from the petitioner.

Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

Trial court is requested to consider the issue of framing of charge at the earliest.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)