

05.07.2023.
53.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1131 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.241 of 2021 arising out of Domkal P.S. Case No.614 of 2021 dated 08.10.2021 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Gaffar Sk. @ Gaffar Ali Sk.
... Petitioner.

Mr. Raju Mondal.
...for the Petitioner.

Mr. Saibal Bapuli, Id. A.P.P.,
Mr. Bibaswan Bhattacharyya.
...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. 76 bottles of phensedyl syrup containing codeine phosphate from the joint possession of the petitioner and co-accused.

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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)