

19.06.2023

Sl. 26

Court No. 29

Sourav

(Rejected)

C.R.M. (NDPS) 1159 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure connection with **Ranitala** Police Station Case No. **150** of **2022** dated **20.04.2022** under Sections **21(c)/29** of the Narcotic Drugs and Psychotropic Substance Act, 1985, corresponding to NDPS Case No. **102** of **2022**.

And

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

....petitioner.

Mr. Tapodip Gupta

...for the petitioner.

Mr. Ranadeb Sengupta

...for the State.

1. Heard learned Counsel for the parties.
2. From the materials on record, it is found that 150 bottles of phensedyl were 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) 1159 of 2023** is dismissed.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

