

21.06.2023
(D/L 21)
Ct. No.29
Rejected
(SKB)

CRM (NDPS) 1171 of 2023

In Re:- An application for bail under section 439 of the Code of Criminal Procedure in connection with the NDPS Case No.39 of 2022, arising out of Jalangi Police Station Case No. 38 of 2022 dated 02.02.2022 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act and Sections 25(i)(a)/27 of the Arms Act.

In the matter of : Kuddus Mondal

... Petitioner

Mr. Tapodip Gupta

... for the petitioner

Mr. Ranadeb Sengupta

... for the State

1. Heard the learned Counsel appearing for the parties.
2. 75 bottles of phensedyl had been seized from the possession of the petitioner. Admittedly, the same is commercial quantity.
3. Taking into consideration the quantity of contraband seized and the bar under Section 37 of the N.D.P.S. Act, we are not inclined to exercise our discretion in favour of the petitioner under Section 439 of the Cr.P.C. at this stage.
4. Accordingly, the prayer for bail of the petitioner is rejected.
5. C.R.M.(NDPS) 1171 of 2023 is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)