

04.07.2023.
16.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1193 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.144 of 2022 arising out of Bhagwangola P.S. Case No.395 of 2022 dated 05.06.2022 under Section 21(c) of the NDPS Act.

In the matter of : Rafikul Islam @ Kalu.

... Petitioner.

Mr. Tapodip Gupta.

...for the Petitioner.

Mr. Ranadeb Sengupta.

...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 show recovery of narcotics above commercial quantity i.e. 80 bottles of phensedyl syrup containing codeine mixture from the possession of 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)