

04.07.2023.
20.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1197 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.108 of 2022 arising out of Berhampore P.S. Case No.581 of 2022 dated 01.05.2022 under Section 22(c)/29 of the NDPS Act.

In the matter of : Musaide Sk.

... Petitioner.

Mr. Tapodip Gupta.

...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 show recovery of narcotics above commercial quantity i.e. 83 bottles of phensedyl syrup containing codeine mixture from the 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.)