

04.07.2023.
23.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1200 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.142 of 2022 arising out of Beldanga P.S. Case No.322 of 2022 dated 04.06.2022 under Section 21(c) of the NDPS Act.

In the matter of : Dilbar Hossain @ Bagh Sekh.
... Petitioner.

Mr. Jisan Hossain,
Ms. Chandrima Debnath,
Mr. Karnel Mondal.
...for the Petitioner.

Mr. Madhusudan Sur, Id. A.P.P.,
Mr. Manoranjan Mahata.
...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. 75 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.)