

11.07.2023
Sl. No.25
akd
[Rejected]

C. R. M. (NDPS) 1239 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.07.2023 in connection with Raninagar Police Station Case No.495 of 2021 dated 27.11.2021 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.267 of 2021)

And

In Re: ***Dwijendranath Sarkar***

... .. Petitioner

Mr. Tapodip Gupta

... .. for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Sandip Chakraborty

... .. for the State

It is submitted on behalf of the petitioner that chemical examiner's report has not been placed before the trial court. Accordingly, he prays for bail.

Learned Advocate for the State submits chemical examiner's report showing presence of *codeine phosphate* is a part of the case diary.

We have considered the materials on record. Bail prayer of the petitioner was rejected in April, 2023. Under such circumstances, we are of the opinion no new ground has been made out to reconsider the prayer for bail of the petitioner. Accordingly, we are not inclined to grant bail to him.

The application for bail is thus rejected.

Investigating Officer is directed to place the chemical examiner's report before the trial court, if not already done.

Parties shall communicate a copy of this order to the trial court for due compliance.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

