

14.07.2023

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rejected

C.R.M.(NDPS) No. 1258 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Nowda Police Station Case No. 118 of 2022 dated 19.05.2022 under Sections 21(c)/22(c)/29 of the NDPS Act.

And

In Re : Hasanujjaman Mondal @ Hasan & Anr. petitioners

Mr. Asraf Mandal

....for the petitioners

Mr. Saryati Datta

.... for the State

Heard the learned Counsel for the parties.

We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 30 bottles of Phensedyl Cough Syrup containing codeine phosphate above commercial quantity from the possession of the petitioners.

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 petitioners.

The application for bail is, thus, rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)