

30.08.2023.
06.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1281 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.126 of 2022 arising out of Lalgola P.S. Case No.162 of 2022 dated 21.05.2022 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Saddam Sk. @ Sinarul Sk.
... Petitioner.

Ms. Chandrani Debnath.
...for the Petitioner.

Mr. Saryati Datta.
...for the State.

1. Heard the learned Advocates for the parties.
2. Explanation of the Director is placed on record.
The explanation is accepted.
2. Chemical examiner's report shows presence of codeine phosphate in the sample. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 25 bottles of phensedyl syrup containing codeine phosphate from the petitioner.
3. 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.
4. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)