

02.08.2023  
Sl. No.16  
**akd**  
[Rejected]

**C. R. M. (NDPS) 1352 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 27.07.2023 in connection with Kaliachak Police Station Case No.880 of 2021 dated 23.08.2021 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Hephajuddin @ Hefajuddin Sk.***

... .. Petitioner

Mr. Sourav Chatterjee  
Mr. Aditya Tiwari  
Mr. Priyam Biswas

... .. for the petitioner

Mr. Ranadeb Sengupta

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 600 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the petitioner. Trial has already commenced. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

The application for bail is thus rejected.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**