

14.08.2023
Sl. No.6
akd
[Rejected]

C. R. M. (NDPS) 1387 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 09.08.2023 in connection with Raninagar Police Station Case No.460 of 2022 dated 19.10.2022 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.216 of 2022)

And

In Re: ***Lalmon Sk. @ Lalman Sekh***

... .. Petitioner

Mr. Tapodip Gupta

... .. for the petitioner

Mr. Rudradipta Nandy .. Id. Addl. Public Prosecutor

Mrs. Sonali Das

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 500 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the petitioner. 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.
3. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)