

17.08.2023

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sdas
rejected

C.R.M.(NDPS) No. 1405 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Sagarpara Police Station Case No. 310 of 2022 dated 23.11.2022 under Sections 21(c)/29 of the NDPS Act.

And

In Re : Lalan Molla & Ors. petitioners

Mr. Arnab Chatterjee
Mr. Anisur Rahaman
Ms. Dhanasree Biswas
Ms. Poulami Bose

....for the petitioners

Mr. Sanjoy Bardhan
Ms. Debjani Dasgupta

..... for the State

1. Heard the learned Counsel for the parties.

2. We have considered the materials on record.

Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 73 bottles of Phensedyl Syrup containing codeine phosphate from the joint possession of the petitioner and co-accused. They were trying to smuggle Phensedyl Syrup across the international border.

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 petitioners.

4. The application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)