

17.08.2023.
19.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1410 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.219 of 2022 arising out of Sagarpara P.S. Case No.277 of 2022 dated 31.10.2022 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Mosaraf Molla @ Mosabbar Molla & Anr.
... Petitioners.

Mr. Tapodip Gupta.
...for the Petitioners.

Mr. Swapan Banerjee,
Mr. Suman De.
...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum shows recovery of narcotics above commercial quantity i.e. 490 bottles of phensedyl syrup from the joint possession of petitioners.
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. Accordingly, the prayer for bail of the petitioners is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)