

22.09.2023

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sdas
rejected

C.R.M.(NDPS) No. 1442 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Gaighata Police Station Case No. 910 of 2022 dated 27.09.2022 under Section 21(c) of the NDPS Act.

And

In Re : Rafikul Mondal petitioner

Mr. Mazahar Hossain Chowdhury
... for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta
... for the State

1. Chemical report submitted in Court is placed on record.

2. Report shows presence of codeine phosphate in the sample. Materials on record establish recovery of 68 bottles of Phensedyl Syrup containing codeine phosphate above commercial quantity from the possession of the petitioner.

3. In view of the materials on record and statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

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

5. Trial court is requested to consider the issue of framing of charge at the earliest and in the event charge is framed to take the proceedings to its logical conclusion without granting any unnecessary adjournment to either of the parties.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)

