

01.09.2023
Sl. No.10
akd
[Rejected]

C. R. M. (NDPS) 1472 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 28.08.2023 in connection with Berhampore Police Station Case No.368 of 2022 dated 25.03.2022 under Sections 22(c)/29 of the NDPS Act. (NDPS Case No.81 of 2022)

And

In Re: ***Tufajjul Mondal @ Mandal***

... .. Petitioner

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

... .. for the petitioner

Mr. Saryati Datta

... .. 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. 5000 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from a vehicle. Petitioner was the driver of the vehicle. 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.)