

08.09.2023
Sl. No.9
akd
[Rejected]

C. R. M. (NDPS) 1492 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 31.08.2023 in connection with Rajarhat Police Station Case No.217 of 2022 dated 19.06.2022 under Sections 22(c)/25/28/29 of the NDPS Act.

And

In Re: ***Firoz Gazi***

... .. Petitioner

Mr. Angshuman Chakraborty

... .. for the petitioner

Mr. Sanjay Bardhan
Mr. Palash Ch. Majhi

... .. 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. 9900 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from a vehicle. Petitioner was the driver of the vehicle. His bail prayer was rejected earlier on merits. 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.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)