

22.09.2023.
23.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 1570 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.114 of 2022 arising out of Jalangi P.S. Case No.157 of 2022 dated 08.05.2022 under Sections 21(c)/29 of the NDPS Act.

In the matter of : Rafikul Malitha @ Rafik & Ors.
... Petitioner.

Mr. Anisur Rahman.
...for the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Baishakhi Chatterjee.
...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Bail prayer of petitioner Nos.2 and 3 were rejected earlier. Petitioner No.1 stands on the same footing with the said petitioner No.2. Materials on record show recovery of large volume of phensedyl syrup containing codeine phosphate above commercial quantity was recovered from petitioner Nos.1 and 2 as well as petitioner No.3 in course of separate raids.
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 petitioners.
4. Accordingly, the prayer for bail of the petitioner is rejected.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)