

22.09.2023.  
25.  
Ct.No.28  
as  
(Rejected)

**C.R.M. (NDPS) 1572 of 2023**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.234 of 2022 arising out of Raninagar P.S. Case No.532 of 2022 dated 02.12.2022 under Sections 21(c)/29 of the NDPS Act.

In the matter of : **Astam Mondal @ Austom Mondal.**

... Petitioner.

Mr. Tapodip Gupta.

...for the Petitioner.

Mr. Saryati Datta.

...for the State.

1. Petitioner is in custody for nine months. He submits he has been falsely implicated. He prays for bail.

2. Learned Advocate for the State opposes the bail prayer.

3. We have considered the materials on record. 36 bottles of phensedyl syrup containing codeine phosphate above commercial quantity was recovered from the petitioner.

4. 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 petitioner.

5. Accordingly, the prayer for bail of the petitioner is rejected.

6. In the event petitioner is unwell, necessary medical attention shall be extended to him.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**