

06.10.2023
Sl. No.3
akd
[Rejected]

C. R. M. (NDPS) 1574 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 19.09.2023 in connection with Raninagar Police Station Case No.380 of 2022 dated 12.09.2022 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.198 of 2022)

And

In Re: ***Tufajul Islam @ Tofajul Sekh***

... .. Petitioner

Mr. Tapodip Gupta

... .. for the petitioner

Mr. Saryati Datta

... .. for the State

1. Chemical examiner's report is placed on record. Report shows presence of *codeine phosphate* in the sample.
2. Materials on record prima facie establish recovery of narcotics i.e. 450 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the possession of the petitioner. 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.)