

18.10.2023

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sdas
rejected

C.R.M.(NDPS) No. 1720 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Raninagar Police Station Case No. 37 of 2023 dated 23.01.2023 under Section 21(c) of the NDPS Act.

And

In Re : Saddam Hossain petitioner

Mr. Anisur Rahman

....for the petitioner

Mr. Swapan Banerjee

Mr. Suman De

..... for the State

1. Learned Counsel for the petitioner submits he is in custody for 295 days. It is also submitted he has been falsely implicated. He prays for bail.

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

3. We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 72 bottles of Phensedyl Syrup containing codeine phosphate above commercial quantity from the possession of the petitioner.

3. 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.

4. The application for bail is, thus, rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)