

19.10.2023
Sl. No.8
akd
[Rejected]

C. R. M. (NDPS) 1731 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 10.10.2023 in connection with Tehatta Police Station Case No.507 of 2022 dated 21.06.2022 under Sections 22(c)/25/28/29 of the NDPS Act. (NDPS Case No.49 of 2022)

And

In Re: ***Masadul Sk. @ Masidal Sk.***

... .. Petitioner

Mr. Mofakkerul Islam
Mr. Syed Murshid Alam

... .. 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. 10,000 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the joint possession of the petitioner and co-accused. 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.)