

09.01.2023
Sl. No.7
akd
[Rejected]

C. R. M. (NDPS) 1459 of 2022

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 05.12.2022 in connection with Barasat Police Station Case No.166 of 2022 dated 10.03.2022 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Raja Das***

... .. Petitioner

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

... .. for the petitioner

Mr. Ranabir Roy Chowdhury
Mr. Mainak Gupta

... .. for the State

Chemical examiner's report is placed on record. From the chemical examiner's report, it appears that the samples contain *codeine phosphate*.

Supplementary charge sheet has also been filed.

In view of the aforesaid facts, we hold there are prima facie materials to show petitioner was in possession of 5.2 ltrs. of *codeine phosphate*, which is above commercial quantity.

Under such circumstances and the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

The application for bail is thus **rejected**.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)