

19.12.2023
Sl. No.14
akd
[Rejected]

C. R. M. (NDPS) 1955 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.11.2023 in connection with Swarupnagar Police Station Case No.219 of 2023 dated 05.04.2023 under Section 21(c) of the NDPS Act.

And

In Re: ***Mahasin Biswas***

... .. Petitioner

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

... .. for the petitioner

Mr. Debasish Roy .. Id. Public Prosecutor
Mr. Navanil De

... .. 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. 25 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.
4. State shall submit chemical examiner's report before the trial court within a month from date, if not already done.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

