

19.12.2023
Sl. No.19
akd
[Rejected]

C. R. M. (NDPS) 1960 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 29.11.2023 in connection with Gaighata Police Station Case No.160 of 2022 dated 21.02.2022 under Section 21(c) of the NDPS Act.

And

In Re: ***Archana Sarkar***

... .. Petitioner

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

... .. for the petitioner

Mr. Koushik Kundu

... .. 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 petitioner. Trial is in progress. 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.)