

20.12.2023
Sl. No.13
akd
[Rejected]

C. R. M. (NDPS) 2009 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.12.2023 in connection with Rajarhat Police Station Case No.18 dated 19.01.2023 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Hriday Ali Mondal***

... .. Petitioner

Mr. Navanil De
Mr. Rajeshwar Chakraborty
Mr. Srinjan Ghosh
Mr. Subhrajit Dey
Ms. Monami Mukherjee

... .. for the petitioner

Mr. Iqbal Kabir

... .. for the State

1. It is submitted on behalf of the petitioner that he is in custody for about eleven months. Accordingly, he prays for bail.
2. Learned Advocate for the State opposes the prayer for bail.
3. We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 60 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from 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.
4. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

