

21.12.2023
Sl. No.21
akd
[Rejected]

C. R. M. (NDPS) 2037 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 01.12.2023 in connection with Basirhat Police Station Case No.186 dated 20.03.2023 under Sections 21(c)/29 of the NDPS Act.

And

In Re: ***Abdul Gafur Sardar***

... .. Petitioner

Mrs. Anita Kaunda
Ms. Anubrata Dutta

... .. for the petitioner

Mr. Tanmoy Kr. Ghosh
Mr. Arindam Sen

... .. 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. 232 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from a vehicle. Petitioner was present in the vehicle. Charge has been framed and date has been fixed for recording evidence. 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.)