

21.12.2023
tkm/ct 28
sl no. 36

C.R.M. (NDPS) 2052 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Gaighata P.S. Case No. 303 of 2023 dated 28.3.2023 under sections 21(c) of the NDPS Act,
And

In Re : Shib Sankar Dhali petitioner

Mr. S Bhattacharya
Ms. Bidisha Chakraborty

..... for the petitioner

Mr. Iqbal Kabir

..... for the State

1. Heard learned lawyers for the parties.
2. We have considered the materials on record. Statements of witnesses and contemporaneous documents i.e. seizure memorandum shows recovery of narcotic substance above commercial quantity i.e. 19 bottles of phensedyl syrup from the petitioner.
3. Under such circumstances and in view of the statutory restrictions under sections 37 of the NDPS Act we are not inclined to grant bail to the petitioner.
4. Accordingly, prayer for bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)