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MNS/mb.

C.R.M.(NDPS) 2100 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure filed on 27.12.2023 in connection with Hanskhali Police Station Case No. 914 of 2022 dated 19.09.2022 under Sections 21(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and under Section 14 of the Foreigners Act.

And

In the matter of : Balai Roy ... petitioner

Mr. Arnab Chatterjee ...For the petitioner

Mr. Arijit Ganguly,
Ms. Sima Biswas ..For the State

1. The learned counsel appearing for the petitioner submits that there was recovery of 120 bottles of Phensedyl from the possession of the petitioner. Learned counsel further submits that the petitioner is in custody since September 19, 2022. In view of long detention of the petitioner, learned counsel prays for bail.
2. Learned Additional Public Prosecutor appearing for the State opposes the prayer for bail of the petitioner and submits that two persons were involved and 120 bottles of Phensedyl were recovered from them. He further submits that the co-accused is a Bangladeshi National.
3. Considering the materials in the Case Dairy and also considering that the contraband substance recovered from the possession of the petitioner is commercial quantity, we are not inclined to grant bail to the petitioner at this stage.

4. Accordingly, the prayer for bail of the petitioner is rejected.

(Hiranmay Bhattacharyya, J)

(Supratim Bhattacharya, J.)