

**In the High Court at Calcutta  
Circuit Bench At Jalpaiguri  
Appellate Side**

28.02.2023

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sdas  
rejected

C.R.M. (NDPS) No. 117 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Matigara Police Station Case No. 1418 of 2021 dated 18.12.2021 under Section 21( c ) of the NDPS Act.

And

In Re : Ajay Sha @ Ajay Shah ..... petitioner

Ms. Punam Basu

... for the petitioner

Mr. Aditi Shankar Chakraborty, learned APP

Mr. Arjun Chowdhury

... for the State

Heard the learned Counsels for the parties.

We have considered the materials on record. Statements of the witnesses and contemporaneous document i.e. seizure memorandum show recovery of 30 bottles of cough syrup containing codeine phosphate from the possession of the petitioner. Under such circumstances and in view of statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

The application for bail is, thus, rejected.

**(Subhendu Samanta, J.)**

**(Joymalya Bagchi, J.)**

