

27.02.2023

Sl. No.16
akd
[Rejected]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (NDPS) 137 of 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 30.01.2023 in connection with Naxalbari Police Station Case No.315 of 2022 dated 28.11.2022 under Sections 21(c)/22(c)/29 of the NDPS Act. (NDPS Case No.135 of 2022)

And

In Re: ***Mintu Sarkar @ Sorkar***

... .. Petitioner

Mr. Biswarup Roy

... .. for the petitioner

Mr. Nilay Chakraborty

Ms. Namrata Das

... .. for the State

Heard the learned Advocates appearing for both the parties.

We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 30 bottles of *cough syrup* containing *codeine phosphate*, which is above commercial quantity from the possession of 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.

The application for bail is thus **rejected**.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)