

27.02.2023

Sl. No.25
akd
[Rejected]

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri

C. R. M. (NDPS) 146 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 Pradhan Nagar Police Station Case No.996 of 2021 dated 13.12.2021 under Sections 21(c)/22(c) of the NDPS Act. (NDPS Case No.190 of 2021)

And

In Re: **Asgar Ali**

... .. Petitioner

Mr. Sidhi Sethia

... .. for the petitioner

Mr. Saikat Chatterjee
Mr. Chattu Roy

... .. 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. 20 bottles of *cough syrup* containing *codeine phosphate*, which is above commercial quantity from the petitioner and co-accused. 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.)