

13.06.2023
Court No.01
Item No.44
Rejected

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

sg

CRM (NDPS) 304 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Bhaktinagar Police Station Case No. 1121 of 2021 dated 21.08.2021 under Section 21(b)/22(b)/29 of the NDPS Act and charge-sheet submitted under sections Section 21(b)/22(b)/29 of the NDPS Act.

And

In Re: **Mahadeb Adhikary & Ors.**

Petitioners

Mr. Biswarup Roy

For the Petitioners

Mr. Niloy Chakraborty
Mr. Tapan Bhattacharjee

For the State

The petitioners renew their prayer for bail and it is submitted by the learned Counsel for the petitioners that that the petitioners are falsely implicated in the present case.

The learned counsel for the State opposes the prayer for bail.

We have considered the materials on record. Statements of witnesses and contemporaneous documents show recovery of 20 bottles of cefrex cough syrup containing codeine phosphate, which is above commercial quantity from the custody of the petitioners.

In view of the aforesaid incriminating materials on record and the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.

The application for bail of the petitioners is rejected. CRM (NDPS) 304 of 2023 is, accordingly, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Raja Basu Chowdhury, J)

(Soumen Sen, J)