

41. 05.07.2023
Court
No.1 Tanmoy Ghosh

Rejected

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

CRM (NDPS) 405 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973, in connection with **NDPS Case No. 63 of 2022** arising out of **Matelli Police Station Case No. 121 of 2022** dated **19.05.2022** under Sections **22(b)/21(c)** of the NDPS Act, 1985.

And

In the matter of: - **Indra Roy @ Indrajit**

...petitioner.

Ms. Supriya Debnath, Adv.

...for the petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP,
Mr. Arjun Chowdhury, Adv.

...for the State.

Heard learned Advocate for the petitioner and learned Advocate for the State at length.

On a perusal of the entire material of the case diary it appears that from the joint possession of the present accused/petitioner and other co-accused persons commercial quantity of codeine phosphate, being a contraband material, was seized.

Such being the position and in view of the restriction in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, we are not inclined to exercise our discretion in favour of the petitioner and accordingly the prayer for bail is rejected.

The application for bail being CRM (NDPS) 405 of 2023 is,
accordingly dismissed.

(Arijit Banerjee, J.)

(Partha Sarathi Sen, J.)