

15.01.2024.
18.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 79 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.74 of 2022 arising out of Domkal P.S. Case No.151 of 2022 dated 18.03.2022 under Sections 22(c)/25/28/29 of the NDPS Act and Sections 302/34 of the Indian Penal Code and Sections 25(1B)(a) of the Arms Act.

In the matter of : **Suman Sardar & Anr.**

... Petitioners.

Mr. Anisur Rahman.

...for the Petitioners.

Mr. Bibaswan Bhattacharya.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Statements of witnesses and seizure memorandum show recovery of narcotics above commercial quantity i.e. 5212 bottles of phensedyl syrup containing codeine phosphate from the petitioners. Firearm and ammunitions were also recovered.
3. 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 petitioners.
4. Accordingly, the prayer for bail of the petitioners is rejected.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)