

16.01.2024.
24.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 92 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N Case No.144 of 2022 arising out of Hasnabad P.S. Case No.589 of 2022 dated 04.12.2022 under Sections 21(c) of the NDPS Act.

In the matter of : **Piyar Gazi.**

... Petitioner.

Mr. Mazahar Hossain Chowdhury.

...for the Petitioner.

Mr. Ranadeb Sengupta.

...for the State.

1. Petitioner is in custody for more than a year.

Therefore, he prays for bail.

2. Learned Advocate for the State opposes the bail prayer. He submits trial is in progress. Three witnesses have been examined.

3. We have considered the materials on record. 88 bottles of phensedyl syrup containing codeine phosphate above commercial quantity was recovered from the petitioner. Trial has substantially progressed.

4. 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 petitioner either on merits or on the ground of delay.

5. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)