

29.01.2024
as/tkm/ct 28
sl no. 11

C.R.M. (NDPS) 152 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Hili PS case no. 229 of 2022 dated 3.10.2022 under section 21(c)/ 22(c)/ 23(c)/27A of the NDPS Act
And

In Re : Sabbir Mondal petitioner

Ms. Busra Khatun

..... for the petitioner

Mr. Avishek Sinha

..... for the State

1. Petitioner contends no narcotic was recovered from his possession. He prays for bail.
2. Learned lawyer for the State opposes the bail prayer.
3. We have considered the materials on record. Petitioner was driving a scooty from where narcotics above commercial quantity i.e. 14 bottles of phensedyl and fairdyl syrup containing codeine phosphate was recovered. His Aadhaar card was present in the scooty. Witnesses saw him fleeing from the spot.
4. In view of the aforesaid incriminating materials and the statutory restrictions under section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.
5. Accordingly, prayer for bail is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)