

29.01.2024
as/tkm/ct 28
sl no. 14

C.R.M. (NDPS) 172 of 2024

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Kaliachak P.S. Case No. 35 of 2023 dated 8.1.2023 under sections 21(c)/29 of the NDPS Act,
And

In Re : Sujan Mandal petitioner

Mr. A K Bhowmick

..... for the petitioner

Mr. Anwar Hossain

Ms. Trina Mitra

..... for the State

1. Petitioner is in custody for more than a year. He prays for bail.
2. Learned lawyer for the State opposes the bail payer.
3. We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 50 bottles of phensedyl containing codeine phosphate above commercial quantity from the petitioner.
4. Under such circumstances and in view of 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.)