

20.02.2024.
17.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 306 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.41 of 2023 arising out of Jalangi P.S. Case No.91 of 2023 dated 28.03.2023 under Sections 21(c)/29 of the NDPS Act.

In the matter of : **Babor Ali Mondal & Anr.**

... Petitioners.

Ms. Chandrima Debnnath.

...for the Petitioners.

Mr. Sudip Ghosh,
Mr. Subrato Roy.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 150 bottles of phensedyl syrup containing codeine phosphate from the petitioners.
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.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)