

21.02.2024

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rejected

C.R.M.(NDPS) No. 313 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kumarganj Police Station Case No. 157 of 2023 dated 08.06.2023 under Sections 21(c)/22(c)/23(c)/27A of the NDPS Act.

And

In Re : Arjun Rai @ Roy

.... Petitioner

Mr. Pawan Gupta

Mr. Subrata Saha

Ms. Sofia Nesar

Mr. Abhik Biswas

....for the petitioner

Mr. Iqbal Kabir

..... for the State

1. Heard the learned Counsels for the parties.

2. We have considered the materials on record. 2500 bottles of Phensedyl Syrup containing codeine phosphate were recovered from the petitioner in a van. Petitioner was present in the van. He was unable to explain licit possession of the contraband. 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.

3. The application for bail is, thus, rejected.

**(Gaurang Kanth, J.)**

**(Joymalya Bagchi, J.)**