

19.02.2024.
24.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 321 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.202 of 2022 arising out of Berhampore P.S. Case No.1230 of 2022 dated 16.09.2022 under Sections 22(c)/29 of the NDPS Act.

In the matter of : **Palash Sk.**

... Petitioner.

Ms. Chandrima Debnnath.

...for the Petitioner.

Mrs. Amita Gaur.

...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 2100 bottles of phensedyl syrup containing codeine phosphate from the petitioner. Bail prayer of the petitioner was rejected earlier on merits. Trial is in progress and four witnesses have already been examined.
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 petitioner.
4. Accordingly, the prayer for bail of the petitioner is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)