

19.02.2024.  
19.  
Ct.No.28  
as  
(Rejected)

**C.R.M. (NDPS) 316 of 2024**

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No.242 of 2022 arising out of NCB Crime No.32/NCB/KOL/2022 dated 16.12.2022 under Sections 8(C) read with Sections 21(C)/29 of the NDPS Act.

In the matter of : **Abu Samad Mondal @ Mandal.**  
... Petitioner.

Mr. Arnab Chatterjee,  
Mr. Anisur Rahman.  
...for the Petitioner.

Mr. Gourang Kr. Das,  
Mr. Manabendranath Bandyopadhyay.  
...for the NCB.

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 1170 bottles of phensedyl syrup containing codeine phosphate recovered from the house of the petitioner.
3. In view of the aforesaid circumstances and 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.)**