

12.04.2024
Sl. No.5
akd
[Rejected]

C. R. M. (NDPS) 504 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 06.03.2024 in connection with Bagdah Police Station Case No.543 of 2023 dated 04.08.2023 under Section 21(c) of the NDPS Act.

And

In Re: ***Prahalad Haldar***

... .. Petitioner

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

... .. for the petitioner

Ms. Subhasree Patel

... .. for the State

1. Chemical examiner's report is placed on record. Report shows presence of *codeine phosphate* in the sample.
2. Materials on record prima facie establish recovery of narcotics i.e. 64 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from the petitioner and co-accused. 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.
3. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)