

28.03.2024
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rejected

C.R.M.(NDPS) No. 556 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Hili Police Station Case No. 145 of 2023 dated 18.08.2023 under Sections 21(c)/22(c)/23(c)/27A of the NDPS Act read with Section 46A(b) of Bengal Excise Act.

And

In Re : Sanjay Choudhury @ Sanjoy Chowdhury @ Sanjay Choudhuri petitioner

Mr. Kaushik Choudhury
....for the petitioner

Md. Anwar Hossain
Ms. Jonaki Saha
..... for the State

1. Learned Counsel for the petitioner submits he is in custody for 223 days. It is also submitted he has been falsely implicated. Accordingly he prays for bail.

2. Learned Counsel for the State opposes the bail prayer.

3. We have considered the materials on record. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 117 bottles of Fairdyl Cough Linctus containing codeine phosphate above commercial quantity and other articles. 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. Application for bail is, thus, rejected.

(Partha Sarathi Sen, J.)

(Joymalya Bagchi, J.)

