

30.04.2024.
05.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 569 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.54 of 2023 arising out of Sagarpara P.S. case No.106 of 2023 dated 25.04.2023 under Sections 21(c)/29 of the NDPS Act.

In the matter of : **Ijaj Ahamad @ Ahmed.**
... Petitioner.

Md. Golam Nure Imrohi.
...for the Petitioner.

Ms. Trina Mitra.
...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Chemical examiner's report is placed on record. Sample tested positive to codeine phosphate. Statements of witnesses and contemporaneous document i.e. seizure memorandum show recovery of 159 bottles of codeine phosphate from petitioner.
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.)