

18.04.2024.
13.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 666 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.84 of 2023 arising out of Kaliachak P.S. Case No.1206 of 2023 dated 08.09.2023 under Sections 21(C)/27A/29 of the NDPS Act read with Sections 186/307/332/333/34/341/353/379 of the Indian Penal Code.

In the matter of : **1) Salam Sk & 2) Mukaddar Sk.**
... Petitioners.

Mr. Mrityunjay chatterjee,
Mr. Debapriya Majumder,
Mr. Arindam Poali.

...for the Petitioners.

Mr. S. S. Imam,
Mr. A. E. Molla.

...for the State.

1. Heard the learned Advocates for the parties.
2. We have considered the materials on record. Petitioners obstructed police personnel who were undertaking search operation to recover narcotics. Narcotics above commercial quantity i.e. 104 bottles of phensedyl syrup containing codeine phosphate were recovered.
3. In view of the conduct of the petitioners who had obstructed police personnel who had recovered narcotics and assaulted them, we can reasonably draw inference that they are involved in illegal narcotics trade.
4. 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 petitioners.

5. Accordingly, the prayer for bail of the petitioners is rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)