

22.04.2024.
11.
Ct.No.28
as
(Rejected)

C.R.M. (NDPS) 688 of 2024

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection NDPS Case No.61 of 2023 arising out of Murutia P.S. Case No.252 of 2023 dated 24.08.2023 under Sections 21(c)/29 of the NDPS Act.

In the matter of : **Chaitanya Sarkar @ Binoy.**
... Petitioner.

Ms. Atreyee Halder.
...for the Petitioner.

Mr. Iqbal Kabir.
...for the State.

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 168 bottles of phensedyl syrup from a vehicle bearing registration No.WB 52 AF 06. Petitioner was in the vehicle and was unable to explain the possession of phensedyl syrup containing narcotics substance above commercial quantity.
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.)