

01.05.2024
Sl. No.28
akd
[Rejected]

C. R. M. (NDPS) 749 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 24.04.2024 in connection with Gazole Police Station Case No.765 of 2023 dated 30.09.2023 under Sections 21(c)/25/27A/29 of the NDPS Act.

And

In Re: ***Md. Samaun Sekh @ Kalu Mia***

... .. Petitioner

Mr. Abhinav Kumar Srivastava
Mr. Shahrar Yar Alam

... .. for the petitioner

Mr. Sujoy Sarkar

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Statements of witnesses including contemporaneous document i.e. seizure memo disclose recovery of narcotic substance i.e. 497 bottles of *phensedyl syrup* containing *codeine phosphate*, which is above commercial quantity from a vehicle. Petitioner was present in the vehicle. His bail prayer was rejected earlier in January, 2024. There is no change in circumstance since then. Accordingly, we are not inclined to grant bail to the petitioner.
3. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)