

07.05.2024
Sl. No.12
akd
[Rejected]

C. R. M. (NDPS) 778 of 2024

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 30.04.2024 in connection with Jalangi Police Station Case No.349 of 2023 dated 23.10.2023 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.112 of 2023)

And

In Re: **Askar Sk.**

... .. Petitioner

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Poulami Bose

... .. for the petitioner

Ms. Shreyashee Biswas
Mr. Rahul Ganguly

... .. for the State

1. Heard the learned Advocates appearing for both the parties.
2. We have considered the materials on record. Narcotics i.e. 188 bottles of *phensedyl syrup* containing *codeine phosphate* was recovered from a bamboo field on the rear side of the house of the petitioner. Co-accused viz. Minajul Sk. was present at the spot. The bamboo garden was under the control and dominion of the petitioner. Thereafter on his leading statement, another consignment of *phensedyl syrup* was recovered from the mango garden of Sib Shankar Sarkar. In view of the aforesaid incriminating materials and statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.
3. The application for bail is thus rejected.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)

