

47. 05.12.2024
Court
No.29 (Pritam)
(Rejected)

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (NDPS) 1706 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure, 1973 / Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, arising out of **Burwan** Police Station Case No. **104/2024** dated **26.02.2024** under Sections **22(C)/29** of the Narcotic Drugs & Psychotropic Substances Act, 1985.

And

In the matter of: - **Sujan Sk. @ Sujan Sheikh**

...petitioner.

Mr. Arnab Chatterjee,
Ms. Poulami Bose

...for the petitioner.

Mr. Debasish Roy, Ld. P.P.
Mr. Arijit Ganguly,
Mr. Koushik Kundu

...for the State.

Dictated by Arijit Banerjee, J.

1. The petitioner says that he is entitled to get statutory bail since the charge-sheet that was filed within 180 days was not accompanied by the FSL report. Immediately upon expiry of 180 days, he applied for statutory bail before the learned trial court. His prayer has been rejected. Hence, this application.
2. Learned State advocate points out from the case-diary that the charge-sheet was filed on August 12, 2024 along with FSL report, well within 180 days from the date of arrest of the petitioner.
3. In view of the aforesaid, the petitioner is not entitled to statutory bail

4. Huge quantity of 979 bottles of Phensedyl Syrup containing Codeine Phosphate was recovered from the joint possession of the accused persons, including this petitioner.
5. In view of the restriction under Section 37 of the NDPS Act, we are not inclined to entertain the petitioner's prayer for bail at this stage.
6. The application for bail being CRM (NDPS) 1706 of 2024 is, thus, **dismissed.**
7. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.
8. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)