

12.12.2024
Ct. No. 06
SL No. 28
S.De

C.R.M. (NDPS) 1826 of 2024

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure as amended /under Section 483 of the Bharatiya Nagarik Surksha Sanhita, 2023.

And

In the matter of: **Srikanta Sadhukhan & Anr.**

Mr. Malay Bhattacharyya, ...for the Petitioners.

Ms. Sreyashee Biswas,
Mr. Asif Dewan,for the State

1. We have heard learned counsel for the parties.
2. Statements of witnesses as well as contemporaneous documents including seizure memorandum show recovery of 100 bottles of Phensedyl Syrup from the petitioners. They do not stand on the same footing with co-accused from whom no seizure was made.
3. Under such circumstances and in view of statutory restriction in Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioners.
4. CRM (NDPS) 1826 of 2024 is rejected.

(Apurba Sinha Ray, J.)

(Joymalya Bagchi, J.)