

74 01.12.2021
(SM) Court No.29
(Rejected)

**C.R.M. 4269 of 2021
(Via Video Conference)**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 23/06/2021 in connection with **Sagarpara** P.S. Case No. **112 of 2021** dated **16/06/2021** under Sections 21 (c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: - Asim Sarkar

...petitioner.

Mr. Tapodip Gupta

...for the petitioner.

Md. Anwar Hossain
Ms. Sreyashee Biswas

...for the State.

Petitioner seeks anticipatory bail.

Having heard the learned advocates for the petitioner and the State and having considered the materials in the case diary and considering the fact that commercial quantity of contraband was seized from the possession of the co-accused and having considered the fact that the name of the petitioner transpires not only from the statement made by the co-accused but also from independent witnesses, we are of the view, that the petitioner is not in a position to overcome the restriction under Section 37 of the NDPS Act, 1985.

Consequently the prayer for anticipatory bail is rejected.

C.R.M. 4269 of 2021, is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)