

23.11.2021

Serial no. 58

Dd

(Through Video Conference)

CRM 7481 of 2021

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Raiganj** Police Station Case No. **198** of **2021** dated **29.03.2021** under Sections **21(c)/23(c)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Corresponding to NDPS Case No. 21/2021)

-And-

In the matter of : **Pintu Paul****Petitioner**

Mr. Mazahar Hossasin Chowdhury, Advocate
... .. For the Petitioner

Mr. Sanjoy Bardhan
Ms. Baishakhi Chatterjee, Advocates
... ..For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that nothing was recovered from the possession of the petitioner. He submits that the vehicle from where recovery was made was sold by the petitioner prior to the date of the alleged seizure.

Learned advocate appearing for the State submits that the vehicle stood registered in the name of the petitioner on the date of the seizure. Since commercial quantity of narcotic was seized from the vehicle belonging to the petitioner anticipatory bail should not be granted.

Considering the materials in the case diary and considering the gravity of the offence and the involvement of the petitioner therein and considering the fact that the vehicle from where the recovery of the narcotics of commercial quantity was made belonged to the petitioner

at the time of the seizure of the narcotics, we of the view that the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985. Consequently, we are not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is **rejected**.

CRM 7481 of 2021 is, accordingly, **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)