

C.R.M 7677 of 2021

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hili** Police Station Case No. **170** of **2021** dated **06.08.2021** under Sections 21(c)/22(c)/23(c)/27A of the Narcotic Drugs and Psychotropic Substances Act.

And

In Re : Paritosh Sarkar & Anr.

..... petitioners

Mr. K. Chowdhury
Mr. S. Khatun

.... for the petitioners

Mr. Sudip Kumar Ghosh
Mr. Apurba Kumar Dutta

... for the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that, no contraband was recovered from the possession of the petitioners.

Learned advocate appearing for the State submits that, the vehicle from which the contraband was seized belongs to the petitioner no. 2 and that the relationship between the petitioners are father and son. He submits that, there are criminal antecedents of the petitioner.

Considering the materials on record and considering the fact that contraband of commercial quantity was seized from the vehicle of the petitioner no. 2 and considering the relationship between the petitioner nos. 1 and 2 and considering the criminal antecedents of the petitioners, we are of the view that the petitioners are not in a position to overcome the restrictions

under Section 37 of the NDPS Act, 1985. Consequently, we are not in a position to grant bail to the petitioners.

Accordingly, prayer for anticipatory bail of the petitioners is rejected and the application being CRM 7677 of 2021 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)