

25.01.2022
Sl. 71
Court No.29
pg.
(Rejected)

CRM (A) 170 of 2022
(Via Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kumarganj** P.S. Case No. **213 of 2021** dated **26/09/2021** under Sections **21(c)/22(c)/23(c)/27A and 28** of the Narcotic Drugs and Psychotropic Substance Act.

And

In the matter of: Tapas Besra

....petitioner.

Mr. Saibal Bapuli

Mr. A. Bhattacharyya

...for the State.

None appears for the petitioner.

We are informed that no one has applied on behalf of the petitioner to join on virtual mode.

Learned advocate appearing for the State submits that the present petition is the second petition.

It appears from the record that the earlier application for anticipatory bail, being CRM 8857 of 2021 was rejected on December 24, 2021 on merits. There is no change in circumstance subsequent to the order of rejection dated December 24, 2021.

Considering the fact that the commercial quantity of narcotics was seized from the possession of the petitioner, we are unable to grant anticipatory bail to the petitioner in view of Section 37 of the NDPS Act, 1985.

The application for anticipatory bail, being CRM(A) 170 of 2022, is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)