

04.02.2022

Serial no. 09
Dd

(Via Video Conference)
CRM (A) 530 of 2022

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **NDPS case no. 168 of 2021** arising out of **Lake Town** Police Station Case No. **326 of 2021** dated **14.12.2021** under Sections **21(c)/29** of the NDPS Act.

-And-

In the matter of : **Shyamal Chandra Sarkar**
... ..Petitioner

Ms. Karabi Roy, Advocate
... .. For the Petitioner
Mr. Binay Panda,
Mr Subham Bhakat, Advocates
... ..For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. Narcotic of commercial quantity was alleged to be seized from the vehicle which does not belong to the petitioner.

Learned advocate appearing for the State submits that the petitioner is the owner of the vehicle from where narcotic of commercial quantity was seized. He draws the attention of the Court to the sale agreement with regard to the vehicle bearing signature of the petitioner.

Considering the fact that narcotic of commercial quantity being seized from the vehicle belonging to the petitioner, we are 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 is **rejected**.

This application for anticipatory bail is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)