

04.02.2022
Serial no.24
Aloke
Ct. No. 29

CRM (A) 558 of 2022

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 01.02.2022 in connection with Dubrajpur P.S. Case No. 198 of 2020 dated 02.11.2020 under Sections 20(b)/29 of the NDPS Act.

-And-

In the matter of : Pintu Garai

... ...Petitioner

Mr. Abdur Rakib, Advocate
Mr. Kunal Ganguly, Advocate

... For the Petitioner

Mr. Madhusudan Sur, Id. APP
Mr. Manoranjan Mahata, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that no recovery was made from the possession of the petitioner. The petitioner is sought to be proceeded on the basis of the statement of the co-accused.

Learned Advocate appearing for the State submits that narcotics of commercial quantity was seized from the vehicle in which the petitioner was the driver. The petitioner fled away from the spot. He refers to the statement recorded under Section 161 of the Code of Criminal Procedure of independent witness implicating the petitioner.

Considering the fact that there are materials to suggest that the petitioner is the driver of the vehicle from where narcotic of commercial quantity was seized, we are of the view that the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.

CRM (A) 558 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)