

30.03.2022
Serial no. 108
[Dd]
(Anticipatory bail
Rejected)

CRM(A) 677 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **T. R. No. 12/21** arising out of **Uluberia G.R. P.S.** Case No. **07** of **2021** dated **08.03.2021** under Sections **20(b)(ii)C** of the NDPS Act.

-And-

In the matter of : **Sk. Selim alias Sk. Selim Ali**
... ..**Petitioner**

Mr. Soumik Ganguli,
Mr. Diptendu Banerjee,
Ms. Sinthia Bala, Advocates
... .. For the Petitioner

Mr. Sudip Ghosh,
Mr. Bitasok Banerji, Advocates
... ..For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. The vehicle was sold by the petitioner on 1st November, 2021 and the seizure was made on 8th November, 2021.

Learned advocate appearing for the State submits that commercial quantity of narcotic was seized from the vehicle belonging to the petitioner.

It is contended on behalf of the petitioner that the co-accuseds were granted default bail.

Considering the fact that commercial quantity of narcotic was seized from the vehicle which till date stands registered with the appropriate authorities in the name of the petitioner as the owner, 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 of the petitioner is **rejected**.

CRM(A) 677 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)