

Dd

CRM (A) 699 of 2022

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Hili** Police Station Case No. **17** of **2022** dated **15.01.2022** (Special Case No. **06/2022**) under Sections **21(C)/22(C)/23(C)/27(A)** of the N.D.P.S Act read with Section **46(b)** of Bengal Excise Act.

-And-

In the matter of : **Hari Roy Anr.**Petitioners

Mr. Debayan Ghosh, Advocate
... .. For the Petitioners

Mr. Ranadeb Sengupta, Advocate
... ..For the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submit that commercial quantity of narcotic was not seized. In any event, the quantity is shown to be seized in the seizure list were not from the possession of the petitioners. The petitioners were falsely implicated due to political rivalry.

Learned advocate appearing for the State submits that the petitioners related to each other as father and son. Petitioners fled away from the spot at the time of raid. The seizure was made from the wife of the petitioner no. 1, presently in custody. He refers to the statements recorded under Section 161 of the Code of Criminal Procedure.

There is substance in the contention of the petitioners that commercial quantity of narcotic was not seized. However, considering the materials seized in the seizure list and considering the gravity of the offence and the

complicity of the petitioners therein, we are not inclined to grant anticipatory bail to the petitioners.

Prayer for anticipatory bail of the petitioners is **rejected**.

CRM (A) 699 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)