

21.02.2022
20
Ct. No 29
KAUSHIK
(REJECTED)

C.R.M. (A) 854 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hanskhali** Police Station Case No. **9** of **2022** dated **04.01.2022** under Sections 21/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : Titan Kha

..... petitioner

Mr. Prabir Majumdar

.... for the petitioner

Mr. Ranabir Roy Chowdhury

Mr. Sandip Chakraborty

... for the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that, the petitioner was falsely implicated. The other co-accused broaded his auto from where the narcotic was seized.

Learned advocate appearing for the State submits that, the petitioner is the owner of the auto from which the narcotic of commercial quantity was seized.

Considering the fact that the petitioner is the owner of the vehicle from which commercial quantity of narcotic was seized, 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 unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 854 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)