

08.03.2022

Serial no. 12

Dd

CRM (A) 1114 of 2022

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **577** of **2021** dated **04.06.2021** under Sections **21(c)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985 (corresponding to Spl Case No. **48 of 2021**)

-And-

In the matter of : **Mojaffar Sk. @ Md. Mojaffar Hossain**
... ..**Petitioner**

Mr. Mobashshara Alam, Advocate
... .. For the Petitioner

Mr. N. P. Agarwala,
Mr. Saryati Datta, Advocates
... ..For the State

Petitioner seeks anticipatory bail.

Learned advocate appearing for the petitioner submits that no narcotic was recovered from the petitioner.

Learned advocate appearing for the State submits that the entire commercial quantity of narcotic was recovered from the house belonging to the petitioner.

Considering the fact that commercial quantity of narcotic was recovered from the house 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 of the petitioner is **rejected**.

CRM (A) 1114 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)