

27.04.2022
Sl. 34
Court No.29
sourav
(Rejected)

C.R.M. (A) 1924 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Debra** Police Station Case No. **344** of **2021** dated **11.07.2021** under Sections **20(b)(ii)(c)** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: **Khuka Baliarsingh**

....petitioner.

Mr. Amal Krishna Samanta

...for the petitioner.

Mr. Sanjoy Bardhan

Ms. D. Dasgupta

...for the State.

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that no recovery was made from the possession of the petitioner.

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

Considering the fact that commercial quantity of narcotic was seized from the vehicle owned by the petitioner, the petitioner can be deemed to be in conscious possession of the same, 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, therefore, unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 1924 of 2022 is, thus disposed of.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

