

45 20.06.2022
(AD) Court No.29
(Rejected)

C.R.M. (A) 2901 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hili** P.S. Case No.**87 of 2021** dated **09.05.2021** under Sections **21(c)/22(c)/23(c)/27A** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: - Sajahan Mondal

...petitioner.

Ms. Busra Khatoon

... for the petitioner.

Mr. Saibal Bapuli, Ld. APP
Mr. Soumik Ganguli

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the petitioner submits that the alleged recovery was made from a place not belonging to the petitioner.

Learned Additional Public Prosecutor submits referring to the materials in the case diary that the recovery was made from a pond belonging to the petitioner.

Considering the fact that commercial quantity of narcotics was recovered from a pond 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 unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the

petitioner is rejected.

C.R.M. (A) 2901 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)