

01.07.2022

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 3102 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **NCB Crime** No. **14/NCB/KOL/2018** dated **02.06.2022** under Section 21(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : Sashikant Yadav @ Shashikant Yadav

..... petitioner

Mr. Mohammad Khairul

....for the petitioner

Mr. Kallol Mondal

....for the Union of India

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, no recovery was made from the possession of the petitioner. The petitioner is a student. The petitioner was falsely implicated.

Learned Advocate appearing for the NCB submits that, the seizure was made from a railway yard in respect of a consignment, which bears the details of the petitioner as being both the consignor and consignee of the parcel. Commercial quantity of narcotic was seized from such parcel.

In view of the involvement of the petitioner as transpiring from the materials in the case diary and in view of the fact consignor and consignee of the commercial quantity of narcotic

contained in the parcel seized by the NCB, the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985. It is claimed that, the petitioner did not respond to the notices issued under Section 67 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) 3102 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)