

05.07.2022
Serial no. 14
[Dd]
(Anticipatory bail)
(**Rejected**)

CRM (A) 3130 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Domkal** Police Station Case No. **151** of **2022** dated **18.03.2022** under Sections **22(c)/25/28/29** of the Narcotic Drugs and Psychotropic Substances act, 1985 and Section **25(1B)(a)** of the Arms Act.

-And-

In the matter of : **Sajedul Islam @ Sajidul Sekh**
... ..**Petitioner**

Mr. Tapodip Gupta, Advocate
... .. For the Petitioner

Ms. Faria Hossain,
Mr. Anand Keshari, Advocates
... ...For the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was falsely implicated. No narcotic was recovered from the possession of the petitioner. The petitioner is sought to be proceeded against on the basis of the statements of the co-accused made while in custody.

Learned advocate appearing for the State submits that commercial quantity of narcotic was seized from the house belonging to the father of the petitioner. Independent witnesses stated that the petitioner is engaged in the business of narcotic along with his father.

In view of the materials in the case diary implicating the petitioner in the commercial quantity of narcotic seized on the basis of the statements of the independent witnesses, we are of the view that the petitioner is unable

to overcome the restrictions under Sections 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) 3130 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)