

31.08.2022
Serial no. 06
[Dd]
(Anticipatory bail)
(Rejected)

CRM (A) 4131 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Raninagar** Police Station Case No. **193** of **2022** dated **24.05.2022** under Sections **21(c) /29** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

-And-

In the matter of : **Israil Mondal @ Israil Mandal**
... ..**Petitioner**

Mr. Tapodip Gupta, Advocate
... .. For the Petitioner
Mr. Sudip Ghosh,
Mr. Bitasok Banerji, Advocates
... ..For the State

Petitioner prays for anticipatory bail.

Commercial quantity of narcotic was seized from two motor vehicles one of which is owned by the petitioner.

In such circumstances, constructive possession of the petitioner over the seized commercial quantity of narcotic cannot be overlooked at this stage.

We are, therefore, of the view that the petitioner is unable to rebut the presumptions 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) 4131 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)