

16.09.2022
Sl.7
Court No.29
(AD)
(Rejected)

C.R.M. (A) 4437 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **New Barrackpore** Police Station Case No.**95 of 2022** dated **03/04/2022** under Section **20(b)(ii)(c)** of NDPS Act which was registered as N Case No.35 of 2022.

And

In the matter of: **Pranab Biswas @ Pranab**

....petitioner.

Mr. Abhijit Pal

...for the petitioner.

Mr. Madhusudan Sur, Ld. APP

Mr. Manoranjan Mahata

...for the State.

Petitioner prays for anticipatory bail.

Learned Advocate appearing for the State submits that commercial quantity of narcotics was seized from the bedroom of the petitioner. The petitioner fled away from the spot.

Commercial quantity of narcotics was seized from the bedroom belonging to the petitioner.

The constructive possession of the petitioner over the commercial quantity of narcotics cannot be overlooked.

In such circumstances, 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) 4437 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)