

19.09.2022
Serial no. 13
[Dd]
(Anticipatory bail)
(**Rejected**)

CRM (A) 4439 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Katwa** Police Station Case No. **441** of **2022** dated **16.07.2022** corresponding to SPL (NDPS)- **36 of 2022** under Sections **18(C)/22/25/27A/28/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

-And-

In the matter of : **Ismatara Khatun**

... ..**Petitioner**

Mr. Sanjay Banerjee,
Md. Apzal Ansari,
Mr. Saibal Krishna Dasgupta, Advocates
... .. For the Petitioner
Mr. Sanjay Bardhan,
Ms. Debjani Dasgupta, Advocates
... ..For the State

Narcotic of commercial quantity was seized from a vehicle belonging to the petitioner.

In such circumstances, the constructive possession of the petitioner over the commercial quantity of narcotics cannot be overlooked.

We are, therefore, of the view that the petitioner is unable to overcome the restrictions 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) 4439 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)