

31.10.2022
Serial no. 94
[Dd]
(Anticipatory bail)
(Rejected)

CRM (A) 4843 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Kotwali** Police Station Case No. **816** of **2022** dated **07.08.2022** under Sections **21(C)/29** of Narcotic Drugs and Psychotropic Substances Act corresponding to NDPS Special Court Case No. **58/22**.

-And-

In the matter of : **Iktar Ali Sekh**

... ..**Petitioner**

Mr. Kalyan Kumar Bhattacharjee,
Ms. Reshmi Khatun, Advocates
... .. For the Petitioner

Mr. Madhusudan Sur, Id. APP
Mr. Saryati Datta, Advocates
... ...For the State

Commercial quantity of narcotic was seized from the vehicle owned by the petitioner.

In such circumstances, constructive possession of the petitioner over the commercial quantity of narcotic seized cannot be overlooked. Petitioner is, therefore, 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) 4843 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)