

C.R.M. (A) 5394 of 2022

23.11.2022

Sl.46

Court No.29

(AD)

(Rejected)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Balurghat** Police Station Case No.**671 of 2021** dated **27/11/2021** under Sections **21(c)/22(c)/23(c)/25/27A/28/29** of the Narcotic Drugs and Psychotropic Substances Act and Charge Sheet has been submitted being Charge Sheet No.368 of 2022 dated 05.06.2022 under Sections **21(c)/22(c)/23(c)/25/27A/28/29** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: **Mrityunjay Sarkar @ Mrituynjay Sarkar**

....petitioner.

Mr. Kaushik Choudhury

Ms. Busra Khatun

... for the petitioner.

Mr. Ranadeb Sengupta

... for the State.

Petitioner prays for anticipatory bail.

Apparently, the petitioner is the owner of the immovable property from where commercial quantity of narcotics was seized.

There are materials in the case diary suggesting that the petitioner let out the immovable property from where the seizure was made. The seizure was made from the room which was let out.

The police case is of November 27, 2021.

The petitioner is absconding since then.

The police filed charge sheet in the month of June, 2022.

In view of the long absconsion of the petitioner and in view of the fact that 3000 bottles of Phensedyl were seized from the room which is owned by the petitioner, 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) 5394 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)