

08.12.2022

Sl.28

Court No.29

(AD)

(Rejected)

C.R.M. (A) 5698 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bhimpur** Police Station Case No.**277 of 2022** dated **13/07/2022** under Sections **21(C)/29** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: **Kuddus Mondal**

....petitioner.

Mr. Sumanta Das

... for the petitioner

Mr. Saibal Bapuli, Ld. APP

Mr. Arani Bhattacharyya

... for the State.

Petitioner prays for anticipatory bail.

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

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

Consequently, we are of the view that the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 5698 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)