

19.01.2023
Serial no.03
Dd
(Anticipatory Bail)
(Rejected)

CRM (A) 114 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Berhampore** Police Station Case No. **193** of **2022** dated **14.02.2022** under Sections **20(b)(ii)(C)/29** of the NDPS Act, 1985
-And-

In the matter of : Prem Kumar Singh

... ..**Petitioner**

Mr. Tapodip Gupta, Advocate
... .. *For the Petitioner*

Mr. Saryati Datta, Advocate
... ..*For the State*

Report as called for by the order dated January 11, 2023 filed in Court be taken on record.

It appears from such report that, commercial quantity of narcotic was seized from a vehicle owned by the petitioner.

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

Consequently, 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.

Prayer for anticipatory bail of the petitioner is **rejected.**

CRM (A) 114 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)