

07.02.2023

33

Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 537 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Ketugram** Police Station Case No. **68** of **2022** dated **19.02.2022** under Sections 8(b)/15(c) of the NDPS Act.

And

In Re : Sadhan @ Dhulo Majhi

..... petitioner

Mr. Soumik Ganguly

Mr. Debdas Khanna

....for the petitioner

Mr. Saibal Bapuli

Mr. Arani Bhattacharya

....for the State

Commercial quantity of narcotic was seized from a plot of land.

Petitioner claims that the plot does not belong to him and relies upon a screenshot of a website maintained by the government of West Bengal.

Learned advocate appearing for the State emphatically submits that Block Land and Land Reforms Officer as well as the Block Development Officer by recording statement under Section 161 of the Code of Criminal Procedure that, the plot in question wherefrom the seizure was made belong to the petitioner.

In such circumstances, we are of the view that 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.

Accordingly, prayer for anticipatory bail of the petitioner is rejected and the application being CRM (A) 537 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)