

28.02.2023

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 870 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Krishnaganj** Police Station Case No. **406** of **2022** dated **14.10.2022** under Section 21(C) of the Narcotic Drugs and Psychotropic Substances Act.

And

In Re : Ganesh Biswas

..... petitioner

Mr. Rohit Prosad

....for the petitioner

Mr. Saryati Dutta

....for the State

Seizure of commercial quantity of narcotic was made from the house belonging to the petitioner.

Conscious possession of the petitioner over the seized commercial quantity of narcotic cannot be overlooked at this stage.

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) 870 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

