

28.03.2023

Serial no. 08

[Dd]

(Anticipatory bail)

(Rejected)

CRM (A) 1157 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Farakka** Police Station Case No. **477** of **2022** dated **20.11.2022** under Section **21(C)** of the NDPS Act, 1985.

-And-

In the matter of : **Samirul Raja Saikh**

... ..Petitioner

Mr. Sabyasachi Mondal,
Mr. A. S. Fazlul Karim,
Ms. Payel Khanna, Advocates
... .. For the Petitioner

Mr. Sanjoy Bardhan,
Ms. Debjani Dasgupta, Advocate
... ..For the State

Report as called for by the order dated March 21, 2023 filed in Court be taken on record.

It appears from the report that the motorcycle from where, commercial quantity of narcotic was seized belongs to the petitioner.

Therefore conscious possession of the petitioner in respect of the seized commercial quantity of narcotics cannot be overlooked.

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.

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

CRM (A) 1157 of 2023 is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

