

29.03.2023

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Ct. No. 29

CHC

Rejected

C.R.M.(A) 1316 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with NDPS Case No.76/2022 arising out of **Raninagar** Police Station Case No. **114** of **2022** dated **23.03.2022** under Sections **21(c)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Khorsed Sekh

..... petitioner

Mr. Tapodip Gupta

....for the petitioner

Mr. Ranabir RoyChowdhury,

Mr. Sandip Chakraborty

....for the State

The vehicle from which, commercial quantity of narcotics were seized, apparently, belongs to the petitioner.

In such circumstances, we are of the view that the petitioner is unable to overcome the restrictions under Sections 37 of the NDPS Act, 1985 as conscious possession of the petitioner under the commercial quantity of narcotics cannot be overlooked at this stage.

CRM (A) 1316 of 2023 is rejected.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

