

30.03.2023

Serial no. 26

[Dd]

(Anticipatory bail)

(Rejected)

CRM (A) 1333 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Katwa** Police Station Case No. **441** of **2022** dated **16.07.2022** under Sections **18C/22/25/27A/28/29** of the NDPS Act.

-And-

In the matter of : **Mujafar Hussain**

... ..**Petitioner**

Mr. Soumyajit Das Mahapatra,

Mr. Palash Bapari, Advocates

... .. For the Petitioner

Mr. Saibal Bapuli, Id APP

Ms. Sayanti Santra, , Advocate

... ..For the State

Petitioner was declared as a proclaimed offender.

Apparently, narcotics of commercial quantity were seized from the house claimed to be belonging to the petitioner as also from a vehicle which is claimed to be belonging to the petitioner.

Consequently, conscious possession of the petitioner over the narcotic seized cannot be overlooked at this stage.

Consequently, we are of the view that the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

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

CRM (A) 1333 of 2023 is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)