

21.04.2023

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Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 1695 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Baishnabnagar** Police Station Case No. **106** of **2023** dated **12.02.2023** under Sections 21(C)/29/25 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : Sairul Sk

..... petitioner

Mr. Arup Kumar Bhowmik
....for the petitioner

Mr. Madhusudan Sur
Mr. Manoranjan Mahata
....for the State

Commercial quantity of narcotic was seized from the property belonging to the father of the petitioner.

There are statements recorded under Section 161 of the Code of Criminal Procedure of the neighbours claiming that, the father of the petitioner, the petitioner as well as his brother are involved in the business of narcotic contraband.

In such circumstances, we are of the view that the petitioner is unable to overcome the restriction 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) 1695 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)