

24.04.2023

Serial no. 36

[Dd]

(Anticipatory bail)

(Rejected)

CRM (A) 1743 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. **1026** of **2022** dated **04.12.2022** under Sections **21(C)/25/29** of the NDPS Act.

-And-

In the matter of : **Nobi Sk @ Samsuddin Sk**

... ..Petitioner

Mr. Amitava Karmakar,
Mr. Arup Kr. Bhowmick,
Ms. Oindrila Ghosh, Advocates
... .. For the Petitioner

Mr. Antarikhya Basu, Advocate
... ..For the State

Commercial quantity of narcotic was seized from a vehicle.

Driver and helper of the vehicle fled away at the time of the raid.

There are statements recorded under Section 161 of the Criminal Procedure Code of local persons implicating the petitioner as the driver of the vehicle.

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) 1743 of 2023 is dismissed.

(Debangsu Basak, J.)

(Rai Chattopadhyay, J.)