

26.04.2023

19

Ct. No. 29

CHC

Rejected

C.R.M.(A) 1778 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hili** Police Station Case No. **225** of **2022** dated **22.09.2022** under Sections **21(c)/22(c)/23(c)/27A** of the Narcotic Drugs & Psychotropic Substances Act.

And

In the matter of : Dipak Ghosh

..... petitioner

Mr. Biswajit Manna

....for the petitioner

Mr. Sanjoy Bardhan,

Ms. Debjani Dasgupta

....for the State

There are statements recorded under Section 161 of the Criminal Procedure Code of independent persons suggesting that the petitioner kept the narcotics at the place from where they were seized. The narcotics seized are of commercial quantity. Conscious possession of the petitioner over the seized commercial quantity of narcotics appears from the materials in the case diary.

In such circumstances, we are of the view that petitioner is unable to overcome the restrictions under Section 37 of the N.D.P.S. Act, 1985.

Consequently, we are unable to grant anticipatory bail to the petitioner.

CRM (A) 1778 of 2023 is rejected.

(Debangsu Basak, J.)

(Rai Chattopadhyay, J.)