

15.05.2023

6
Ct. No. 29
CHC
Rejected

C.R.M.(A) 1873 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kaliachak** Police Station Case No. **436** of **2022** dated **01.05.2022** under Sections **21(C)/25/29** of the Narcotics Drugs and Psychotropic Substances Act, 1985, corresponding to GDE No.1037/2022 dated 30.04.2022.

And

In the matter of : Achinta Mandal @ Achinta Mondal

..... petitioner

Mr. Kalidas Saha

....for the petitioner

Mr. Antarikhya Basu

....for the State

Report as called for by the order dated May 3, 2023 filed in Court be taken on record.

Seizure of commercial quantity of narcotics were effected from the vehicle which is owned by the petitioner.

At this stage, conscious possession of the petitioner in respect of the seized commercial quantity of narcotics cannot be overlooked.

Consequently, we are of the view that 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.

CRM (A) 1873 of 2023 is rejected.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)