07.02.2024
Item No.23
Ct. No. 29
CHC
Rejected

C.R.M.(A) 404 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Beldanga** Police Station Case No. **563** of **2023** dated **23.07.2023** under Sections **20(b)(ii)(c)/29** of the Narcotic Drugs and Psychotropic Substances Act and Charge sheet being Charge Sheet No.40 of 2024 dated 17.01.2024 under Sections **20(b)(ii)(c)/25/29** of the NDPS Act.

And

In the matter of : Shahjamal Seikh

..... petitioner

Ms. Sabina Hasin
....for the petitioner

Mrs. Mamata Jana
....for the State

Petitioner prays for anticipatory bail.

Commercial quantity of narcotics was seized from the house belonging to the petitioner.

Consequently, constructive possession of the petitioner over the seized commercial quantity of narcotics cannot be overlooked at this stage.

Considering the police filing charge-sheet, 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.

This application for anticipatory bail is, thus, rejected.

CRM(A) 404 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)