

30.04.2024
Item No.12
Ct. No. 29
CHC
Rejected

C.R.M.(A) 1511 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **N.11/2023** pending before the Court of Ld. Special Judge (NDPS Act), Barrackpore, North 24 Parganas for alleged offence punishable under Sections **8(c) and 21(c) and 29(1)** of N.D.P.S. Act arising out of Officer-in-Charge of Excise, EIB Sealdah Check Post under Barrackpore Excise Division, North 24 Parganas.

And

In the matter of : Sri Lakkhan @ Laxman Das

..... petitioner

Mr. Suman Das

....for the petitioner

Ms. Sreyashi Biswas,

Mr. Nirupam Dhali

....for the State

Petitioner prays for anticipatory bail.

Commercial quantity of narcotics was seized from the residence of the petitioner. Constructive possession of the petitioner over such commercial quantity of narcotics cannot be discounted.

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.

This application for anticipatory bail is, thus, rejected.

CRM(A) 1511 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)