

22.01.2024
DL-76
Court No.29
(AD)
(Rejected)

C.R.M. (A) 5015 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tapan** Police Station Case No.**354 of 2023** dated **12.06.2023** under Sections **21(c)/22(c)/23(c)/27A** of the Narcotics Drugs and Psychotropic Substances Act. (NDPS Case No.50 of 2023).

And

In the matter of: **Riyajul Mia**

....petitioner.

Ms. Jeenia Rudra

... for the petitioners.

Ms. Zareen N. Khan
Md. KUtubuddin

...for the State.

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

Constructive possession of the petitioner over such seized commercial quantity of narcotics cannot be overlooked at this stage.

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.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 5015 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)