

22.01.2024
DL-82
Court No.29
(AD)
(Rejected)

C.R.M. (A) 5024 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **N 32/2022** arising out of **NCB Crime No.09/NCB/KOL/2022** under Sections **21(c)/29** of the Narcotics Drugs and Psychotropic Substances Act, 1985 as amended for violation of the prohibition imposed under Section **8(C)** of the Narcotic Drugs and Psychotropic Substances Act, 1985 as amended.

And

In the matter of: **Ranjit Podder**

....petitioner.

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha

... for the petitioner.

Kr. Krishnendu Bhattacharya
Mr. Tirthapati Acharyya

...for the NCB.

Commercial quantity of narcotics was seized from the godown apparently controlled by the petitioner.

Prayer for anticipatory bail of the wife of the petitioner was rejected.

Warrant of proclamation of attachment was issued as against the petitioner.

Constructive possession of the petitioner in respect of 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) 5024 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)