

31.01.2024

Serial no. **ML 592**

Anticipatory bail

[Rejected]

2d

CRM (A) 5313 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Krishnagunge** Police Station Case No. **163** of **2023** dated **06.05.2023** under Sections **21(C)** of the NDPS Act.*

-And-

In the matter of : **Swapan Biswas @ Magha**
... ..**Petitioner**

Mr. Chandan Misra, Advocate
... .. For the Petitioner

Mr. Ranadeb Sengupta, Advocate
... ..For the State

Vehicle containing commercial quantity of narcotic was seized from the house belonging to the petitioner.

Local persons claimed that petitioner and the arrested co-accuseds are business partners with regard to narcotics.

Constructive possession of the petitioner over the seized commercial quantity of narcotics cannot be overlooked.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is **rejected**.

CRM (A) 5313 of 2023 is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)