

01.02.2024
Item No.702
Ct. No. 29
PG/KS
Rejected

C.R.M.(A) 5425 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hili** Police Station Case No.**63** of **2023** dated **23.03.2023** under Sections **21(C)/22(C)/ 23(C)/27A** of the Narcotic Drugs and Psychotropic Substances Act, corresponding to NDPS Case No.29 of 2023.

And

In the matter of : **Doli Barman**

.....Petitioner.

Mr. Biswajit Manna

....for the Petitioner.

Mr. Tanmoy Kr. Ghosh

Mr. Santanu Deb Roy

....for the State.

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

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

Consequently, we are of the view that the petitioner is unable to overcome the restrictions under section 37 of the NDPS Act.

Accordingly, we are unable to grant anticipatory bail to the petitioner.

Consequently, C.R.M.(A) 5425 of 2023 is rejected.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)