

**05.02.2024**

421  
Ct. No. 29  
gd/ssd

**C.R.M.(A) 5498 of 2023**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Kumarganj** Police Station Case No. **346 of 2022** dated **24.10.2022** under Sections **21/22(c)/29** of the Narcotic Drugs and Psychotropic Substances Act.

And

In Re: Akbar Ali Mandal.

..... petitioner

Mr. Anindya Ghosh

....for the petitioner

Mr. Ashok Das

....for the State

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

Consequently, constructive possession of the petitioner over such seized commercial quantity of narcotics cannot be overlooked.

We are therefore of the view that the petitioner is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.

This application for anticipatory bail is, thus, rejected.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**