

06.02.2024  
Item No.78  
Ct. No. 29  
**CHC**  
Rejected

**C.R.M.(A) 5524 of 2023**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Murutia** Police Station Case No. **252** of **2023** dated **24.08.2023** under Sections **21(c)/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Ratan Das @ Ratan Kumar Das

..... petitioner

Mr. Prabir Majumder,  
Mr. Snehansu Majumder  
....for the petitioner

Mr. Angshuman Chakraborty  
....for the State

Commercial quantity of narcotic was seized from the vehicle belonging to the petitioner. There are Call Detailed Recording of conversation between the person arrested with the commercial quantity of narcotic and the petitioner.

Constructive possession of the petitioner over the seized commercial quantity of narcotic 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 N.D.P.S. Act.

Consequently, we are unable to grant anticipatory bail to9 the petitioner.

This application for anticipatory bail is, thus, rejected.

CRM(A) 5524 of 2023 is disposed of.

**(Debangsu Basak, J.)**

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