

CRM 5241 of 2021

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Rainagar Police Station** Case No. **353 of 2021** dated **29.07.2021** under Sections **21(C)/29** of the NDPS Act.

- A n d -

In the matter of : Sirajul Sk @ Sekh & Anr.

.... Petitioners.

Mr. M. Chatterjee,
Mr. G. N. Imrohi,

... For the Petitioners.

Mr. S. Dutta,

... for the State.

The petitioners seek anticipatory bail.

Learned Advocate for the petitioners submits that the petitioners got falsely implicated on the basis of statement of a co-accused.

Learned Advocate for the State submits that the petitioners fled away from the spot. The personnel of the raid party recognized the petitioners. There are nexus between the petitioners and the person arrested.

Considering the fact that the investigations are yet to be concluded and considering the gravity of the offence and the nature of the involvement of the petitioners, we are unable to hold that the petitioner is in a position to overcome the restriction in Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

CRM 5241 of 2021 is, accordingly, dismissed.

(Debangsu Basak, J.)

(Ananda Kumar Mukherjee, J.)