

26.11.2021

Serial no. 89

Dd

(Through Video Conference)

CRM 6092 of 2021

In re : An Application for **anticipatory bail** under Section **438** of the Code of Criminal Procedure in connection with **Gangarampur** Police Station Case No. **288** of **2021** dated **31.07.2021** under Sections **21(c)/ 22(c)/ 23(c)/ 27A/ 28/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985(Corresponding to Spl, Case No. **76 of 2021**)

-And-

In the matter of : **Mijanur Rahaman @ Mizanur Miya & Ors.**
... ..**Petitioners**

Mr. Tmazahar Hossain Chowdhury, Advocate
... .. For the Petitioners

Mr. Tapan Deb Nandy,
Mr. Antarikshya Basu, Advocates
... ..For the State

Petitioners seek anticipatory bail.

Learned advocate appearing for the petitioners submits that the petitioners were falsely implicated. No contraband was recovered from the possession of the petitioners.

Learned advocate appearing for the State submits that narcotics of commercial quantity was seized from a co-accused. The involvement of the petitioners transpires from not only the statement of the co-accused but also statements recorded under Section 161 of the Criminal Procedure Code of other persons. Such persons saw the petitioners to flee from the spot at the time of raid.

Considering the materials in the case diary against the petitioners and considering the gravity of the offences involved therein, we are of the view that the petitioners

are unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.

Consequently, we are not inclined to grant anticipatory bail to the petitioners.

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

CRM 6092 of 2021 is, accordingly, **dismissed**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)