

30.11.2021
Serial no.18

Aloke
Ct. No. 29

(Through Video Conference)

CRM 7361 of 2021

In re : An Application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 09.11.2021 in connection with Berhampore Police Station Case No. 1258 of 2021 dated 29.10.2021 under Sections 22(c)/29 of the NDPS Act.

-And-

In the matter of : **Sakirul Sarkar**

... ..Petitioner

Mr. Jisan Iquabal Hossain, Advocate

... .. For the Petitioner

Mr. S. Mahapatra, Advocate

Mr. Suman De, Advocate

... ...For the State

The application is taken up for consideration subsequent to the order dated November 17, 2021.

Learned Advocate appearing for the State submits that there are call details recording between the petitioner and the co-accused who was apprehended with commercial quantity of contraband.

Considering the materials in the case diary and considering the nexus between the petitioner and the co-accused as claimed on behalf of the prosecution, we are of the view that the petitioner is not in a position to overcome the restrictions under Section 37 of the NDPS Act. Consequently, the prayer for anticipatory bail is, thus, rejected.

CRM 7361 of 2021 is, accordingly, dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)