

6 17.02.2022
(AD) Court No.29
(Rejected)

C.R.M. (A) 638 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **N 101 /2021** arising out of **Jagaddal** P.S. Case No. **856 of 2021** dated **20/11/2021** under Sections **20(b)(ii)(c)/25/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: - Bivash Das alias Babai

...petitioner.

Mr. Angshuman Chakraborty

... for the petitioner.

Mr. Ranadeb Sengupta

...for the State.

Petitioner seeks anticipatory bail.

Learned Advocate appearing for the petitioner submits that the petitioner is sought to be proceeded against on the basis of the statements of the co-accused made while in custody and no narcotic was recovered from his possession.

Learned Advocate appearing for the State submits that the commercial quantity of narcotic was recovered from the accused. From his statements, the kingpin of the racket was identified. The call details recording of the mobile of the kingpin was enquired into and it appears that the present petitioner was in constant touch with such person.

Considering the gravity of the offence and the involvement of the petitioner therein and considering the call details recording as enumerated on behalf of the State, we are unable to return a

finding in favour of the petitioner under Section 37 of the NDPS Act, 1985. Consequently, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 638 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)