

30.03.2022
Sl. 8
Court No.29
sourav
(Rejected)

C.R.M. (A) 1281 of 2022

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **14.03.2022** in connection with **Kaliachak** P.S. Case No. **1439** of **2021** dated **27.12.2021** under Sections **21(c)/29** of the NDPS Act read with Section **27(A)** of the Drugs and Cosmetics Act.

And

In the matter of: **Bhim Mandal & Anr.**

....petitioners.

Mr. Avinaba Patra,
Mr. Souraja De,

...for the petitioners.

Mr. Ranadeb Sengupta,

...for the State.

Report as called for by the order dated March 17, 2022 filed in Court be taken on record.

It appears from such report that the petitioners fled away from the spot when the arrest was taking place. A person was arrested with commercial quantity of narcotics. There are several complaints against the petitioners involving smuggling of narcotic substance to Bangladesh in lieu of money. They are involved in Kaliachak Police Station Case No. 881 of 2021 dated August 23, 2021 and of the same Police Station Case No. 1175 of 2021 dated October 24, 2021.

Considering the criminal antecedents of the petitioners and considering their involvement in the present case, we are of the view that the petitioners are unable to rebut the presumptions under Sections 37 of the NDPS Act, 1985.

Consequently, we are unable to grant anticipatory bail to the petitioners.

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

C.R.M. (A) 1281 of 2022 is, thus, dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)

