

01.07.2022

06

Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 2835 of 2022

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Dalkhola** Police Station Case No. **183** of **2021** dated **26.08.2021** under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : Ziaul @ Munna @ Ziyarul Haque @ Jiyarul Haque
..... petitioner

Mr. Jayanta Narayan Chatterjee
Ms. Jayashree Patra
Mr. Subhrodeep Koley
....for the petitioner

Mr. Sanjoy Bardhan
Mr. Palash Chandra Majhi
....for the State

Report as called for by the order dated June 21, 2022
filed in Court be taken on record.

Report dated June 29, 2022 states that, there are call details recording between the petitioner and the person arrested with commercial quantity of narcotics. There is criminal antecedent so far as the petitioner is concerned. The petitioner was declared as 'proclaimed offender' in a different police case.

Considering the materials in the case diary, the report dated June 29, 2022 and the fact that there are call details recording between the petitioner and the person arrested with commercial quantity of narcotic, we are of the view that the petitioner is unable to overcome the restrictions under Section

37 of the NDPS Act, 1985. Moreover, there are criminal antecedent so far as the petitioner is concerned. The petitioner was declared as 'proclaimed offender' in another police case.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

Accordingly, prayer for anticipatory bail of the petitioners is rejected and the application being CRM (A) 2835 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)