

18.08.2022
Serial no. 10
[Dd]
(Anticipatory bail)
(**Rejected**)

CRM (A) 3823 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Raiganj** Police Station Case No. **950** of **2022** dated **25.07.2022** under Sections **21(C)** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

-And-

In the matter of : **Amirul Hak @ Amirul Haque & Anr.**
... ..**Petitioners**

Mr. Sayan De,
Mr. Kaustav Shome,
Mr. Sayan Kanjilal, Advocates
... .. For the Petitioners
Mr. Saibal Bapuli, Ld. APP
Mr. Arani Bhattacharyya, Advocate
... ..For the State

Report as called for by the order dated August 10, 2022 filed in Court be taken on record.

The report states that the petitioners were using four mobile phones to keep in touch with the person arrested with the commercial quantity of narcotics.

In such circumstances, we are of the view that the petitioners are unable to rebut the presumption 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 (A) 3823 of 2022 is dismissed.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)