

21.09.2022
Serial no. 12
[Dd]
(Anticipatory bail)
(**Rejected**)

CRM (A) 4493 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Gangarampur** Police Station Case No. **119** of **2022** dated **03.03.2022** under Sections **22(C)/29** of the Narcotic Drugs and Psychotropic Substances Act read with **27A** of the Drugs and Cosmetics Act (Special Case No. **16 of 2022**).

-And-

In the matter of : **Sanaul Hossain Mondal @ Sanaul Mondal**

... ..**Petitioner**

Ms. Busra Khatoon, Advocate
... .. For the Petitioner

Mr. Saryati Datta, Advocate
... ..For the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that the petitioner was sought to be proceeded against on the basis of the statement of the co-accused. No narcotic was recovered from the possession of the petitioner.

Learned advocate appearing for the State submits that there are call detail records of phone calls made between the petitioner and one of the persons arrested with the commercial quantity of narcotics.

In view of the call details recording between the petitioner and an accused arrested with commercial quantity of narcotics, we are unable to return a finding that the petitioner is able to rebut the presumptions under Section 37 of the NDPS Act, 1985.

In such circumstances, we are not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is **rejected**.
CRM (A) 4493 of 2022 is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)