

29.11.2022  
Serial no.10  
Aloke

**CRM (A) 5314 of 2022**

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with Hogalberia Police Station Case No. 302 of 2022 dated 27.09.2022 under Sections 20(c)29 of the, 1985.

-And-

In the matter of : **Manatosh Biswas**

... .. Petitioner

Mr. Sumanta Das, Advocate

... .. For the Petitioner

Mr. T.D. Nandy, Advocate

Mr. Antarikhya Basu, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

The report as called for by the order dated November 21, 2022 filed in Court be taken on record.

The report states that the petitioner changes his mobile phone number frequently. There are criminal antecedents so far as the petitioner is concerned.

The petitioner is being proceeded against under the provisions of the NDPA Act, 1985. There are criminal antecedents so far as the petitioner is concerned.

Apparently, the petitioner changes his mobile phone number to evade the authorities.

In such circumstances, we are of the view that the petitioner is unable to rebut the presumptions under Section 37 of the NDPS Act, 1985.

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

Prayer for anticipatory bail of the petitioner is rejected.

CRM (A) 5314 of 2022 is dismissed.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**