

30.11.2022

Serial no. 08

[Dd]

(Anticipatory bail)

(Rejected)

CRM (A) 5327 of 2022

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Raninagar** Police Station Case No. **453** of **2022** dated **15.10.2022** under Sections **21(c)/29** of the Narcotic Drugs and Psychotropic Substances Act.

-And-

In the matter of : Mainul Biswas @ Mainul Mondal

... ..Petitioner

Ms. Shabana Hasin,

Md. Jishan Iqbal, Advocates

... .. For the Petitioner

Mr. Ranadeb Sengupta, Advocate

... ..For the State

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

The report states that, the petitioner was in contact with the person arrested with the commercial quantity of narcotics through a mobile phone, SIM card of which was standing in the name of different person. On investigations, the police found that the petitioner was using such SIM card.

In such circumstances, the existence of a nexus between the petitioner and the person arrested with the commercial quantity of narcotics cannot be overlooked at this stage. The investigations are yet to be concluded.

In such circumstances, we are of the view that the petitioner is unable to overcome the restrictions 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) 5327 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)