

06.12.2022
Serial no.4
Aloke

CRM (A) 5429 of 2022

In re : An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure in connection with English Bazar Police Station Case No. 782 of 2022 dated 20.05.2022 under Sections 21(C)/29 of the NDPS Act and Section 27A of the Drugs and Cosmetics Act.

-And-

In the matter of : **Md. Mustafijur Rahaman**

... .. Petitioner

Mr. Arup Kr. Bhowmick, Advocate

... .. For the Petitioner

Mr. Rudradipta Nandy, Id. APP

Mr. Ranadeb Sengupta, Advocate

... ...For the State

Petitioner seeks anticipatory bail.

Report as called for by the order dated November 24, 2022 filed in Court be taken on record.

The report dated November 30, 2022 states that there are call details recording between the petitioner and the person arrested with the commercial quantity of narcotics. Apparently, there is a nexus between the petitioner and the person arrested with commercial quantity of narcotics.

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.

Prayer for anticipatory bail of the petitioners is rejected.

CRM (A) 5429 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)