

24.01.2023
Serial no. 28
[Dd]
(Anticipatory bail)
(**Rejected**)

CRM (A) 329 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure arising out of NDPS case no. 165 of 2022 in connection with **Jalangi** Police Station Case No. **228** of **2022** dated **06.07.2022** under Sections **20(b)(ii)(c)/29** NDPS Act.

-And-

In the matter of : **Wasim Akram @ Wasim Akram Mondal**
... ..**Petitioner**

Md. Golam Nure Imrohi,
Mr. Susnigdho Bhattacharyya, Advocates
... .. For the Petitioner

Mr. Saibal Bapuli, Id. APP
Mr. Arigit Ganguli,
Mr. Bibasan Bhattacharyya, Advocates
... ..For the State

There are call detail recordings of the mobile phone between the petitioner and the person arrested with the commercial quantity of narcotics.

Complicity of the petitioner in the incident cannot be overlooked at this stage.

In such circumstances, we are of the view that the petitioner is unable to rebut the presumption 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) 329 of 2023 is **dismissed**.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)