

22.02.2023

Sl.9

Court No.29

(AD)

(Rejected)

C.R.M. (A) 582 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Englishbazar** Police Station Case No.**1612 of 2022** dated **23.10.2022** under Sections **21(C)/29** of the N.D.P.S. Act (Special Case No.185/2022).

And

In the matter of: **Taramuddin Ahammed @ Mithu**

....petitioner.

Ms. Minoti Gomes

...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld. PP

Mr. Saryati Datta

...for the State.

Report as called for by the order dated February 9, 2023 filed in Court be taken on record.

There are call details recording between the petitioner and the person arrested with the 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. Consequently, we are unable to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

C.R.M. (A) 582 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

