

18.04.2023

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Ct. No. 29
CHC
Rejected

C.R.M.(A) 1438 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **NDPS Case No.20 of 2023** arising out of **Tehatta** Police Station Case No. **203 of 2023** dated **14.03.2023** under Section **21(C)/29** of the Narcotics Drugs and Psychotropic Substances Act.

And

In the matter of : Nasir Sk @ Sheikh & anr.

..... petitioners

Mrs. Karabi Roy

....for the petitioners

Mr. Saibal Bapuli, Id. A.P.P.

Mr. Arani Bhattacharyya

....for the State

Report as called for by order dated April 5, 2023, submitted in Court be taken on record.

Report states that there are call records details between the petitioner no.1 and the arrested co-accused.

So far as the petitioner no.1 is concerned, he was using a phone belonging to a different person to contact the arrested co-accused.

Commercial quantity of narcotics were seized from the arrested co-accused.

In such circumstances, we are of the view that petitioners are unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.

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

CRM (A) 1438 of 2023 is rejected.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)