

18.05.2023

25

Ct. No. 29

**KAUSHIK
REJECTED**

C.R.M.(A) 2062 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Hili** Police Station Case No. **63** of **2023** dated **23.03.2023** under Sections 21(C)/22(C)/23(C)/27A of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : Ankit Gupta @ Guddu Gupta & Anr.

..... petitioners

Mr. Kaushik Chowdhury

Ms. Busra Khatun

....for the petitioners

Mr. Sanjoy Bardhan

Ms. Debjani Dasgupta

....for the State

There is a statement recorded under Section 161 of the Code of Criminal Procedure Cr.P.C.) of a neighbour implicating both the petitioners in the business of narcotics.

State is able to demonstrate nexus between the petitioners and the person arrested with the commercial quantity of narcotic.

In such circumstances, we are of the view that the 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.

Accordingly, prayer for anticipatory bail of the petitioners is rejected and the application being CRM (A) 2062 of 2023 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)