

**16.01.2023**

Sl.6  
Court No.29  
(AD)  
(Rejected)

**C.R.M. (A) 5990 of 2022**

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Special Case No.98 of 2021 arising out of **Kaliachak** Police Station Case No.**1051 of 2021** dated **29.09.2021** under Sections **22(c)/27(A)/29** of Narcotics Drugs and Psychotropic Substances Act (NDPS Act).

And

In the matter of: **Maiju Sk @ Md. Maijur Sk & Anr.**

....petitioners.

Mr. Sudip Banerjee

... for the petitioners.

Mr. Saibal Bapuli, Ld. APP

Mr. Soumik Ganguli

...for the State.

Report as called for by the order dated January 2, 2023 filed in Court be taken on record.

There are four police cases pending against the petitioners involving the NDPS Act, 1985.

The first of such police case is dated December 17, 2020.

It is contended on behalf of the State that process for issuance of proclamation and attachment as against the petitioners was initiated.

Considering the number of police cases pending as against the petitioners with regard to the NDPS Act, 1985 and considering the process undertaken by the State, 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, the prayer for anticipatory bail of the petitioners is rejected.

**C.R.M. (A) 5990 of 2022** is dismissed.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**