

18.01.2024
Item No.5
Ct. No. 29
CHC
Rejected

C.R.M.(A) 128 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Balurghat** Police Station Case No. **996** of **2023** dated **11.12.2023** under Sections **21(c)/22(c)/23(c)/27A/28/29** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Rajesh Bhagat

..... petitioner

Ms. Busra Khatoon
....for the petitioner

Mr. Angshuman Chakraborty
....for the State

Petitioner seeks anticipatory bail.

Case Diary contains materials to suggest that, there is a money trail between two coaccused. There is CDR recording between one of the co-accused and the petitioner.

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

In such circumstances, we are unable to arrive at a finding that, the petitioner is able to repel the presumption under Section 37 of the N.D.P.S. Act, 1985.

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

This application for anticipatory bail is, thus, rejected.

CRM(A) 128 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)