

13.02.2024
DL-80
Court No.29
(AD)
(Rejected)

C.R.M. (A) 485 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Sagarpara** Police Station Case No.**14 of 2024** dated **13.01.2024** under Sections **21(C)/29** of the Narcotic Drugs and Psychotropic Substances Act.(NDPS Case No.08 of 2024).

And

In the matter of: **Sohail Rana Molla**

....petitioner.

Mr. Mrityunjoy Chatterjee
Mr. Debapriya Majumder
Mr. Manas Das
Mr. Akash Sarkar
Mr. Arindam Poali

... for the petitioner.

Mr. Dipankar Pramanik

... for the State.

An eye-witness recorded a statement under Section 161 of the Code of Criminal Procedure and placed the petitioner at the time and place of occurrence.

Co-accused was arrested with commercial quantity of narcotics.

The independent witness claims that the petitioner was involved in the incident.

Considering such materials in the case diary, we are unable to return a finding that the petitioner is able to repel 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) 485 of 2024 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)