

03.05.2024
Item No.3
Ct. No. 29
CHC
Rejected

C.R.M.(A) 1571 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Berhampore** Police Station Case No. **811** of **2023** dated **20.06.2023** under Sections **21(C)/29** of the NDPS Act.

And

In the matter of : Sujit Sarkar

..... petitioner

Mr. Asraf Mandal

....for the petitioner

Mr. Bitasok Banerjee,

Mr. Atanu Ghosh

....for the State

Petitioner prays for anticipatory bail.

Learned advocate appearing for the petitioner submits that, police filed charge-sheet and therefore, custodial interrogation of the petitioner is not required.

Learned advocate for the State submits that, there are Call Details Record between the persons arrested with the commercial quantity of narcotics with that of the petitioner. Petitioner is identified as the seller of such commercial quantity of narcotics. There are Call Details Recording between the petitioner as also the identified purchaser.

Considering such materials in the Case Diary, we are of the view that, the petitioner is unable to overcome the restrictions 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) 1571 of 2024 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)