

10.01.2024  
Item No.275 (ML)  
Ct. No. 29  
S. De

**C.R.M.(A) 4944 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. **30** of **2023** dated **05.02.2023** under Sections **21(c)/22(c)/23(c)/27A** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Ashadul Fakir @ Asedul Fakir @ Puchki.  
..... petitioner.

Ms. Busra Khatoon,  
....for the petitioner.

Mr. Sanjoy Bardhan,  
Ms. Debjani Dasgupta,  
....for the State

There is a criminal antecedent so far as the petitioner is concerned with regard to the narcotic.

Even the brother of the petitioner implicates the petitioner in the business of narcotic.

In such circumstances, we are of the view that the petitioner is unable to repel the presumptions under Section 37 of the Narcotic Drugs and Psychotropic Substances Act 1985. Consequently, we are unable to grant the anticipatory bail to the petitioner.

The application for anticipatory bail is, thus, rejected.

CRM(A) 4944 of 2023 is disposed of.

**(Debangsu Basak, J.)**

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