

30.01.2024
469(ML)
Ct. No. 29
S.D.
REJECTED

C.R.M.(A) 5186 of 2023

In Re:- In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Baishnabnagar** Police Station Case No. **106 of 2022** dated **12.02.2023** under Section **21(c)/25/29** of the Narcotic Drugs and Psychotropic Substances Act read with 341/353/34 of the Indian Penal Code.

And

In Re : Neharul Hoque @ Neherul Hoque
..... petitioner

Mr. Parvej Alam
...for the petitioner

Mr. Rudradipta Nandy
Mr. Dipankar Mahata
...for the State

Commercial quantity of narcotics was seized from the dry pond belonging to the father of the petitioner.

Statements recorded under Sections 161 of the Cr.P.C. of neighbours implicate the petitioner before us as also his father and his brother to be involved in the business of narcotics.

There are criminal antecedents so far as the petitioner is concerned.

In such circumstances, we are of the view that the petitioner is unable to over the restriction under Section 37 of the N.D.P.S. Act, 1985.

Consequently, we are unable to grant the anticipatory bail to the petitioner and the prayer for anticipatory bail of the petitioner is rejected.

The application being **CRM (A) 5186 of 2023** is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)