

21.02.2024
Item No.17
Ct. No. 29
CHC
Rejected

C.R.M.(A) 5502 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Balurghat** Police Station Case No. **813** of **2023** dated **13.10.2023** under Sections **21(c)/22(c)/23(c)/27A/29** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of : Durga Barman @ Durgadeb Barman
..... petitioner

Mr. Kaushik Choudhury,
Ms. Busra Khatun
....for the petitioner

Mr. Binoy Panda,
Mr. Arindam Sen
....for the State

Report as called for by the order dated February 5, 2024
filed in Court be taken on record.

The report demonstrates that, there are call details recording of mobile phone conversation between the petitioner and the person arrested with the commercial quantity of narcotics, in close proximity to the incident.

Consequently, we are of the view that, petitioner is unable to overcome the restrictions under Section 37 of the N.D.P.S. Act, 1985.

In such circumstances, we are unable to grant anticipatory bail to the petitioner.

This application for anticipatory bail is, thus, rejected.

CRM(A) 5502 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)