

05.02.2024

Item No.469

Ct. No. 29

CHC

Rejected

C.R.M.(A) 5546 of 2023

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Jalangi** Police Station Case No. **152** of **2023** dated **16.05.2023** under Sections **21(c)/29** of the Narcotic Drugs and Psychotropic Substance Act.

And

In the matter of : Hasan Mondal & anr.

..... petitioners

Md. Golam Nure Imrohi

....for the petitioners

Mr. Ranabir Roy Chowdhury,

Mr. Arup Mondal

....for the State

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that no recovery was made from the possession of the petitioners. Police filed charge-sheet and therefore custodial interrogation of the petitioners is not required.

Learned advocate appearing for the State submits that there are Call Details Record of conversation made by the petitioners with the arrested co-accused at the relevant point of time.

Considering the CDR records available, we are of the view that petitioners are 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 petitioners.

This application for anticipatory bail is, thus, rejected.

CRM(A) 5546 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)