

34. 13.08.2021
Ct.32
Tanmoy
Dismissed

C.R.M. 2362 of 2021

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **03/03/2021** in connection with **Beldanga Local Police Station Case No. 464/2015** dated **29/09/2015** under Sections **420/272** of the Indian Penal Code and Sections **63/65** of the Copy Right Act and Section **27** of the Drugs and Cosmetics Act and Section **46** of Bengal Excise Act.

And

In the matter of: - **Nazir Molla @ Najir Sk.**

....petitioner.

Mr. Ziaul Haque

...for the petitioner.

Mr. Prasun Kumar Dutta, Ld. A.P.P.,
Mr. Santanu Deb Roy

...for the State.

The allegation against the petitioner is of manufacturing and selling spurious phensedyl (Mcdowells No.1 XXX Rum). Charges are under Sections 420/272 of Indian Penal Code, Sections 63/65 of the Copy Right Act and Section 27 of the Drugs and Cosmetics Act. Section 6 of the Bengal Excise Act has also been invoked.

We have considered the material in the Case Diary and statements of witnesses recorded under Section 161 of the Code of Criminal Procedure.

The charge is grave. The kind of activities that the petitioner has been alleged to have indulged in, have extremely adverse effect on the society at large.

On an overall consideration of the facts and circumstances of the case, although charge-sheet has been filed,

we are not inclined to allow the petitioner's prayer for anticipatory bail.

Accordingly, the application for anticipatory bail being C.R.M. 2362 of 2021 is **dismissed**.

Report filed on behalf of the State be kept with the record.

All parties shall act in terms of server copy of this order downloaded from the official website of this Court.

(Suvra Ghosh, J.)

(Arijit Banerjee, J.)