

41. 01.06.2023
Ct.8 jlb/Tanmoy

Rejected

C.R.M. (A) 2151 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973, in connection with NCB Crime No. 14/NCB/KOL/2023 dated 11.04.2023 under Section 8(c) read with Sections 21(c)/22(c)/29 of the NDPS Act, 1985.

And

In the matter of: - **Habibur Rahaman**

....petitioner.

Mr. Biswapriya Samanta

...for the petitioner.

Mr. Kallol Kumar Basu

...for the NCB.

We have considered the amount of recovery which is 15620 bottles of phensedyl along with 2344 capsules, namely Spasmo Proxyvon Plus.

Biswapriya Samanta, learned Advocate appearing for the petitioner submits that he is ready and willing to co-operate with the investigation by adhering to the notice so received.

Mr. Kallol Kumar Basu, learned Advocate appearing for the Narcotics Control Bureau (NCB), opposes the contention and submits that the *prima facie* materials have transpired in course of investigation which are serious in nature.

Having regard to the materials so relied upon by the NCB, we are not inclined to entertain such an application. Thus, the prayer for anticipatory bail is rejected.

The application for anticipatory bail being C.R.M. (A) 2151 of 2023 is dismissed.

(Supratim Bhattacharya, J.)

(Tirthankar Ghosh, J.)