

20.11.2024  
Sl. No.8  
**akd**  
[Rejected]

**C. R. M. (A) 3950 of 2024**

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed on 04.11.2024 in connection with Goalpokher Police Station Case No.165 of 2023 dated 08.04.2023 under Section 21(c) of the NDPS Act.

And

In Re: **Budhu**

... .. Petitioner

Mr. Kushal Paul  
Ms. Soma Chowdhury (Bandhu)  
... .. for the petitioner

Mrs. Rituparna Ghosh  
Ms. Debjani Sahu  
... .. for the State

1. It is submitted on behalf of the petitioner no narcotics was recovered from his possession. Accordingly, he prays for anticipatory bail.
2. Report is placed on record. From the report it appears petitioner is a habitual dealer in narcotics. Another criminal case involving dealing in narcotics is pending against him.
3. We have considered the materials on record. Narcotics i.e. 200 bottles of *phensedyl* syrup were being transported in a motorcycle. When BSF personnel chased the miscreants, they fled away. Co-accused has been arrested. Investigation is in progress and intelligence has been received with regard to involvement of the petitioner. Owner of the motorcycle is absconding. In such view of the matter custodial interrogation of the petitioner may reveal materials disclosing his involvement in the crime. Keeping in mind this fact and gravity of the offence attracting restrictions under Section 37 of the NDPS Act, we are not inclined to grant anticipatory bail to him.

4. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

**(Subhendu Samanta, J.)**

**(Joymalya Bagchi, J.)**