

21.08.2026
Item no. 21.
Court No.11.
S.De
1635
(Allowed)

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (A) 667 of 2026

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Naxalbari Police Station Case No.135 of 2026 Dated 04.06.2026 under Sections 21(b)/29 of the N.D.P.S. Act

And

In the matter of : Md. Dilsad. Petitioner.

Ms. Suparna Paul, ...for the Petitioner.

Mr. Avrajyati Das, Ld. APP
Mr. Bijoy Bikrak Das,
Mr. Rajdeep Das, ...for the State.

1. The petitioner says that there was no recovery of contraband items from him. The principal accused from whom recovery was made has been granted interim bail by the learned Trial Court. The petitioner has been implicated on the basis of the statement made by co-accused persons. He prays for anticipatory bail.
2. Learned State counsel opposes the prayer. However, in his usual fairness, he confirms that the prime accused has been granted interim bail.
3. Further, I see that intermediate quantity of contraband is involved. Therefore, Section 37 of the N.D.P.S. Act has no operation.

4. Considering the facts and circumstances of the case, I am of the opinion that immediate custodial interrogation of the petitioner may not be necessary, so long as he co-operates with the Investigation Officer.
5. Accordingly, in the event of arrest, the petitioner, namely **Md. Dilsad** shall be released on bail upon furnishing a bond of Rs.25,000/- with two sureties of Rs.12,500/- each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 until further orders and on further condition that he shall meet the Investigating Officer of this case as and when called for until further orders. Within three days from date the petitioner shall go and meet the Investigating Officer of this case.
6. In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code of Criminal Procedure, 1973/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.
7. The application for anticipatory bail, being CRM (A) 667 of 2026, stands disposed of.

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

(Arijit Banerjee, J.)