

08.04.2025
Court No.28
Item No.25
tbsr
Allowed

CRM (A) 1141 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Lalgola** P.S. Case No.**787 of 2024** dated **28.07.2024** under Sections **21(C)/29** of the NDPS Act 1985.

And

In the matter of: **Ansur Ali @ Anisur Ali @ Mohammad Anisur Rahaman**

....Petitioner.

Mr. Arnab Chatterjee

Ms. D. Biswas

Ms. Poulami Bose

...for the petitioner.

Mr. Rana Mukherjee

Ms. Nandini Chatterjee

.....for State

Learned counsel appearing on behalf of the petitioner submits as follows. A charge sheet has already been submitted in this case. The petitioner's brother, a co-accused, was granted bail. There is nothing against the petitioner except statement of some co-accused, which are inadmissible in evidence.

Learned counsel appearing on behalf of the State relies on the case diary and submits as follows. There are three statements of co-accused implicating the present petitioner. However, no CDR or call detail records have been collected. Except for the statements of the co-accused, there is hardly anything against the petitioner. Charge sheet has been submitted.

In view of the fact that apart from the statement of the co-accused there is nothing against the petitioner, the restriction contained in Section 37 of the NDPS Act stands rebutted.

Accordingly, I direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further condition that the petitioner shall not threaten or intimidate witnesses. The petitioner shall surrender before the learned trial court within two weeks from this date.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)