

01.05.2025

Item No.DL33
Court No. 28
Asraf, AR(Ct.)

ALLOWED

IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION
APPELLATE SIDE

CRM (A) 1402 of 2025

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Lalgola Police Station case no.787 of 2024 dated 28.07.2024 under Sections 21(c) and 29 of the NDPS Act.

-and-

In Re : **GOLAB CHOWDHURY @ GOLAB CHOUDHURY**

.....Petitioner

For the Petitioner :

Mr. Golam Nure Imrohi

Ms. Sarmistha De

.....Advocates

For the State :

Mr. Ranabir Roychowdhury

Ms. Rita Datta

.....Advocates

Learned counsel appearing on behalf of the petitioner submits that a similarly circumstanced co-accused has been granted anticipatory bail by this Court as there was nothing against him except the statement of a co-accused, which is not admissible in evidence.

Learned counsel appearing on behalf of the State admits that the petitioner stands on the same footing as the co-accused who was granted anticipatory bail. Chargesheet has been submitted.

As there is hardly anything against the present petitioner except the statement of a co-accused, the petitioner

has been able to rebut the restrictions contained in Section 37 of the NDPS Act and in view of the same, I inclined to allow the application.

Accordingly, 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 subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that he shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever.

The application for anticipatory bail being **CRM(A) 1402 of 2025** is, thus, **allowed**.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)