

21/05/2025

D/L 19
Ct. No.28
S.Kundu
Allowed

C.R.M.(A) 1607 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with NDPS Case no. 114/2024 arising out of Lalgola police station case no. 1097 of 2024 dated 7.11.2024 under Sections 21(c)/29 of the NDPS Act, 1985.

In the matter of: Nitu Tofijur Rahaman @ Tofijur Rahman @ Nitu

... Petitioner

Mr. T. Gupta

...for the petitioner.

Mr. Aniket Mitra

Ms. Suparna Chatterjee

...for the State.

1. Heard the learned counsels for the parties.
2. In view of the fact that the only material available against the petitioner in the case diary is the statement of a co-accused and there are no CDR analysis report implicating the petitioner or even any criminal antecedent, the petitioner has been able to rebut the restriction contained in Section 37 of the NDPS Act and as such, I am inclined to grant anticipatory bail to the petitioner.
3. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further conditions that the petitioner shall not threaten or intimidate witnesses. The petitioner shall appear before the jurisdictional Court on the dates fixed

and shall surrender and pray for bail before the jurisdictional Court within five weeks from date.

4. Accordingly, the application for anticipatory bail is allowed.
5. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)