

22.05.2025
SL.28
Ct.No.28
NB
(Allowed)

CRM (A) 1700 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 in connection with Basirhat P.S. Case No.805/2024 dated 02.11.2024 under Sections 21(c)/29(1) of the NDPS Act and Sections 14A(b)/14(C) of the Foreigners Act pending before the Additional Sessions Judge, 6th Court, Barasat, North 24 Parganas.

And

In the matter of : Sahidul Islam Gazi @ Saidul Gazi
.... petitioner

Mr. Mazahar Hossain Chowdhury,
Ms. Chandrima Debnath.
...for the petitioner.

Ms. Faria Hossain,
Ms. Mausumi Sarkar.
...for the State.

Learned counsel appearing on behalf of the petitioner submits that except the statement of a co-accused, there is no other material available against the present petitioner. Charge sheet has been submitted.

Learned counsel appearing on behalf of the State refers to the statement of the co-accused and submits that other than that there is no other material available against the present petitioner

In view of the fact that there is no other material available in the case diary except the statement of a co-accused, the petitioner has been able to rebut the restrictions containing under Section 37 of the NDPS Act and as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition not to threaten or intimidate witnesses and to attend the jurisdictional Court regularly. The petitioner shall surrender before the learned Trial Court and pray for bail within five weeks from this date.

The application for anticipatory bail being **CRM(A) 1700 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.)