

23.05.2025
SL.30
Ct.No.28
NB
(Allowed)

CRM (A) 1745 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 Kaliachak P.S. Case No.1476/2024 dated 17.09.2024 under Sections 21(c)/25/27A/29 of the NDPS Act pending before the learned Chief Judicial Magistrate, Malda

And

In the matter of : Muktarul @ Muktarul Ali

.... petitioner

Mr. Biswajit Tiwari.
...for the petitioner.

Mr. Saryati Dutta,
Mr. Santanu Talukdar..
...for the State.

In view of the fact that the only material available against the petitioner is the statement of a co-accused and charge sheet has already been submitted, the petitioner has been able to rebut the restrictions contained in 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 on dates fixed. The

petitioner shall surrender and pray for bail before the learned Special Court within five weeks from this date.

The application for anticipatory bail being **CRM(A) 1745 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.)