

03.07.2025
Court No.28
Item No.12
tbsr
Rejected

CRM (A) 1758 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Basirhat** P.S. Case No.**805 of 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.

And

In the matter of: **Sariful Gazi**

....Petitioner.

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

Mr. Bibaswan Bhattacharya
Mr. Sobhan Gani
.....for the State.

Learned counsel appearing on behalf of the petitioner submits that the only material appearing against the petitioner is the statement of a co-accused, which is inadmissible in evidence.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He relies on the case diary and submits that apart from the co-accused's statement there is statement of a local witness who was also seizure list witness, which implicates the petitioner.

Considering the incriminating materials available in the case diary and the restrictions contained in Section 37 of the NDPS Act, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail is rejected.

(Jay Sengupta, J.)