

AD 38
July 02, 2025
Ct. 28
SG

DNP

CRM(A) 1871 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Berhampore P.S. Case No.1845 of 2024 dated 15.11.2024 under Sections 21(c)/29 of the NDPS Act.

And

In the matter of:

Adari Bibi and another ... petitioners

Mr. Jisan Iqubal Hossain

Ms. Chandrima Debnath

... for the petitioners

Mr. Rana Mukherji, Id. APP

Mr. Tirthankar Dhali

... for the State

Learned counsel for the petitioners submits that the petitioner No.1 has already been arrested. The application for anticipatory bail is not pressed so far as he is concerned.

Accordingly, the application for anticipatory bail is dismissed as not pressed so far as the petitioner No.1 is concerned.

Learned counsel for the petitioners further submits that the petitioners had been implicated in this case on the basis of a statement of a co-accused which is admissible in evidence.

Learned counsel for the State opposes the prayer for anticipatory bail and submits that apart from the statement of a co-accused, there are no further incriminating materials

available in the case diary so far as the petitioner No.2 is concerned.

In view of the fact that only material available against the petitioner No.2 is the statement of a co-accused and the charge-sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner No.2.

In the event of arrest, the petitioner No.2 shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on the further conditions that the petitioner No.2 shall surrender before the trial court and pray for bail within four weeks from this date and the petitioner No.2 shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)