

11/08/2025  
D/L 17  
Ct. No.28  
S.Kundu  
Partly Allowed

**C.R.M.(A) 1954 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 Berhampore police station case no. 1997 of 2024 dated 7.12.2024 under Section 21(c)/29 of the NDPS Act.

In the matter of: Sabir Ahamed @ Ahmed & Anr.  
... Petitioners

Mr. Arnab Chatterjee  
...for the petitioners.

Ms. Sreyashee Biswas  
Ms. Jonaki Saha  
...for the State.

1. Report filed on behalf of the State is taken on record.
2. Heard the learned counsels for the parties.
3. Perused the case diary.
4. The learned counsel appearing on behalf of the petitioners submits as follows. The only material available against the petitioner is the statement of the co-accused. One of the co-accused has now been granted bail by this Court.
5. Learned counsel appearing on behalf of the State denies the allegation and files a report, which is taken on record. He submits as follows. The petitioner no. 1 has a criminal antecedent. A case was started against him under the provision of NDPS Act.
6. Considering the fact that the besides the statement of the co-accused, the petitioner no. 1 has a criminal antecedent, I am not inclined to grant anticipatory bail to

the petitioner no. 1. His application is rejected. However, considering the fact that the only material available against the petitioner no. 2 is the statement of the co-accused, I am inclined to grant anticipatory to the said petitioner no. 2 (Abdul Alim @ Mithu @ Abdul Alim Sk).

7. In the event of arrest, the petitioner no. 2 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 said petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses. The petitioner no. 2 shall surrender before the learned jurisdictional Court within four weeks from date and shall regularly attend the jurisdictional Court.
8. Accordingly, the application for anticipatory bail is allowed-in-part.
9. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

**(Jay Sengupta, J.)**