

11/08/2025

D/L 18

Ct. No.28

S.Kundu

Allowed

C.R.M.(A) 1955 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: Khudajul Hoque @ Pintu @ Khodajul Haque

... Petitioner

Mr. Arnab Chatterjee

Mr. Avik ghosh

Mr. Chandan Mondal

Ms. P. Bose

...for the petitioner.

Mr. Sanjoy Bardhan

Mr. A. Verma

...for the State.

1. Reports filed on behalf of the State are taken on record.
2. Heard the learned counsels for the parties.
3. Perused the case diary and the report.
4. It appears that there are no call records between the petitioner and the co-accused. Neither did the petitioner flee away from the place of occurrence nor is there any money trail implicating the petitioner.
5. Considering the fact that the only material available against the petitioner is the statement of a co-accused, he has been able to rebut the restriction contained in Section 37 of the NDPS Act and I am inclined to grant anticipatory bail to the petitioner.

6. In the event of arrest, the petitioner 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 petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses. The petitioner shall surrender before the jurisdictional Court and pray for bail within four weeks from date and shall regularly attend the jurisdictional Court.
7. Accordingly, the application for anticipatory bail is allowed.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)