

09.07.2025
Court No.28
Item No.77
tbsr
Allowed

CRM (A) 2031 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.**904 of 2024** dated **14.12.2024** under Sections **21(C)** of the NDPS Act charge sheet under Section 21(C)/29 of the NDPS Act.

And

In the matter of: **Arun Das alias Arjun Das**

....Petitioner.

Mr. Angshuman Chakraborty
Mr. S. S. Saha
...for the petitioner.

Ms. Amita Gaur, Sr. Gvt. Adv.
Mr. Tirthankar Dhali
.....for State

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner has been implicated in this case only on the basis of the statement of a co-accused which is in admissible in evidence. Charge sheet has been submitted.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, she submits that there are no CDR analysis of call records or any criminal antecedents of the petitioner. The only material available against the petitioner is the statement of a co-accused.

Considering the fact that the only material available against the petitioner is the statement of a co-accused, I am of the view that the petitioner has been able to rebut the restriction contained in Section 37 of the NDPS Act and I am inclined to grant anticipatory bail.

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 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 further condition that the petitioner shall not threaten or intimidate witnesses, shall attend the jurisdictional Court regularly and shall surrender before the jurisdictional Court and pray for bail within four weeks from this date.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)