

22.07.2025
Ct. No.25
SL.No.5
Mujahid
(Reject)

C.R.M. (A) 2059 of 2025

In Re: An application for Anticipatory Bail under Section 482 of the BNSS, 2023 in connection with Sagarpara P.S. Case No. 474 of 2024 dated 28.11. 2024 under Sections 21(c)/29 of NDPS Act.
And

In the matter of: **Amrul Sarkar**

....Petitioner

Mr. Arnab Chatterjee,
Ms. Poulami Bose

...for the petitioner

Mr. Anasuya Sinha,
Mr. Sujan Chatterjee

...for the State

1. Learned counsel for the petitioner submits that no recovery have been effected from the possession of the petitioner. Learned counsel also submits that principal accused has already been admitted to bail. Learned counsel submits that the petitioner is falsely implicated merely because the name of the petitioner has appeared in the testimony of some of the prosecution witnesses.

2. Learned counsel for the State has filed a detailed report. Learned counsel submits that in a joint ambush operation by the police and the BSF, accused Yasin Mondal and Sanarul Mondal were apprehended with 741 bottles of phensedyl. Learned counsel submits that during investigation, it has appeared in the testimony of Jahiruddinn Sk and Kalam Mondal who are elected members of the village that present petitioner is

also involved along with the principal accused in various smuggling activities. Learned counsel for the State has also submitted that petitioner is also involved in a similar kind of offence in Sagarpara P.S. Case No.14/2024 dated 13th January, 2024 under Sections 21(c)/29 NDPS Act. Learned counsel submits that the custodial interrogation of the present petitioner is necessary to unearth the conspiracy.

3. The petitioner's involvement has been alleged as being a conspirator with the principal accused found in possession of contraband articles. In such like cases, the custodial interrogation is necessary so as to unearth the conspiracy amongst the accused persons.

4. Taking into account the gravity of allegations and seriousness of offence, this court finds that the petitioner is not entitled to anticipatory bail, hence **rejected**.

(Dinesh Kumar Sharma, J.)