

23.07.2025

Sl. no. 28

Ct. No. 25

P.M.

C.R.M. (A) 2127 OF 2025

In re : An application for anticipatory bail under Section 482 of the of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Hogolberia Police Station Case No. 227 of 2024 dated 12.09.2024 under Sections 20(b)(ii)(c)/25/29 of the Narcotic Drugs and Psychotropic Substances Act.

In the matter of : Asraful Sk

... petitioner

Mr. Dipanjan Chatterjee,

Mr. Prabir Majumder,

Ms. Rimpa Adhikari,

Ms. Kakan Das

.....for the Petitioner.

Mr. Arindam Sen,

Mr. Saptarshi Chakraborty

.....for the State.

Learned counsel for the petitioner states that the only allegation against the present petitioner is that he is the owner of Pulser Motorcycle bearing registration No. WB 58 BW 6813.

Learned counsel submits that allegedly this motorcycle was escorting the vehicle No. WB 58 BD 0202 from which allegedly the contraband was recovered.

Learned counsel for the State has fairly submitted that no recovery was effected from the motorcycle or any occupant.

Learned counsel submits that the Pulser Motorcycle was escorting the vehicle from which

recovery was effected and when the motorcycle was stopped the motorcyclist fled away from the spot.

Learned counsel for the State submits that they suspect that the petitioner was the person who fled away.

The owner of the vehicles from which alleged recovery was effected has already been admitted pre-arrest bail by this Court in CRM(A) 1069 of 2025 vide order dated 21st April, 2025. Similarly another co-accused whose name had appeared as Sujay Sharma had already been admitted to pre-arrest bail by this Court in CRM(A) 3790 of 2024 vide order dated 7th November, 2024.

Admittedly no recovery was effected from the petitioner. The only allegation against him that he is the owner of the motorcycle which allegedly was escorting the vehicle from where allegedly the contraband was recovered.

In the facts and circumstances of this case the petitioner is directed to join investigation as and when directed by the I.O.

In the event, if Investigating Officer feels necessary of effecting the arrest of the petitioner they be admitted to anticipatory bail by furnishing personal bond of Rs. 10,000/- (Rupees ten thousand

only) with two sureties of like amount each, one of whom shall be local, to the satisfaction of the Investigating Officer, subject to the conditions that he shall join and cooperate in the investigation as and when directed by the Investigating Officer and shall not threaten, tamper or intimidate the complainant or members of the family in any manner.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Dinesh Kumar Sharma, J.)