

11.07.2025
SL.28
Ct.No.28
NB

CRM (A) 2175 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Haringhata P.S. Case No.661 of 2024 dated 17.12.2024 under Sections 20(b)(ii)(c)/25/29 of the Narcotic Drugs & Psychotropic Substances Act, 1985 corresponding to NDPS Case No.118 of 2024 pending before the Court of the learned Judge, Special Court under the NDPS Act, Nadia at Krishnagar.

And

In the matter of : Mithun Biswas @ Gokul Biswas ...petitioner

Mr. Shibaji Kr. Das,
Mr. D. Sarkar.
...for the petitioner.

Mr. Aniket Mitra,
Ms. Afreen Begum.
...for the State.

Heard the learned counsels for the parties.

Perused the case diary.

Considering the fact that other than the statement of a co-accused which is inadmissible in evidence, there is no other incriminating materials available in the case diary against the present petitioner, the petitioner has been able to rebut the restriction contained in Section 37 of the NDPS Act.

In view of the same and considering the materials available in the case diary and the fact that charge sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall attend the Special Court regularly and shall surrender before the Special Court within four weeks and pray for bail and the petitioner shall not threaten or intimidate witnesses.

The application for anticipatory bail being **CRM (A) 2175 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)