

30.07.2025
Court No.28
Item No.55
tbsr
Reject

CRM (A) 2383 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Baishnabnagar** P.S. Case No.**1011 of 2024** dated **22.09.2024** under Sections **21(c)/27A/29** of the NDPS Act, 1985.

And

In the matter of: **Daud Ibrahim @ Nesaruddin Sk.**

....Petitioner.

Ms. Reshmi Khatun
....for the petitioners

Mr. Abhisek Sinha
Ms. Suparna Chatterjee
.....for the State

Learned counsel appearing on behalf of the petitioner submits as that the only material available against the petitioner is the statement of a co-accused, which is inadmissible in evidence.

Learned counsel appearing on behalf of the State submits that apart from the statement of a co-accused, there is CDR analysis of phone call records showing frequent calls between the petitioner and the principal accused and there is a criminal antecedent of the petitioner. Moreover, proclamation has been issued against the petitioner. Other similarly circumstanced co-accused were refused the benefit of anticipatory bail.

Considering the incriminating materials available in the case diary as referred to above, the fact that proclamation has been issued against the petitioner, the fact that the applications for anticipatory bail of some similarly circumstanced accused were rejected by this Court and in view of the restrictions contained in Section 37 of the

NDPS Act, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail is rejected.

(Jay Sengupta, J.)