

28.07.2025
Court No.28
Item No.57
tbsr
Allowed

CRM (A) 2332 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Lalgola** P.S. Case No.**1161 of 2024** dated **01.12.2024** under Sections **21(C)/29** of the NDPS Act.

And

In the matter of: **Golam Mostafa @ Md. Mostafa**

....Petitioner.

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Poulami Bose
...for the petitioner.

Mr. Rana Mukherjee
Mr. Dattatreya Dutta
.....for State

Learned counsel appearing on behalf of the petitioner submits that other than the statement of a co-accused no other incriminating material is available against the petitioner and charge sheet has been submitted.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he submits that other than the statement of a co-accused there is no incriminating material available in the case diary against the petitioner. CDR analysis also does not implicate the present petitioner.

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

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.)