

14.08.2025
Court No.28
Item No.19
ssi

CRM (A) 2583 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Sagarpara PS Case No.**475 of 2024** dated **01.12.2024** under Sections 21(c)/29 of the NDPS Act.

And

In the matter of: **Nur Islam Daktar**

....Applicant/Petitioner.

Mr. Jisan Iqubal Hossain

...for the petitioner

Mr. Ranadeb Sengupta

Mr. Kaustav Banerjee

..for the State

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits that there is no other incriminating materials available against the petitioner except for the statement of the co-accused which is inadmissible in evidence. Three other co accused were granted anticipatory bail by this Court.

Learned counsel appearing on behalf of the State relies on the report and the case diary and submits as follows. The report regarding CDR analysis of call records shows that the petitioner was in-touch with the co-accused more than one month before the date of incident. Otherwise, there was no other materials available against the present petitioner, except for the statement of the co-accused.

Considering the fact that the prime incriminating materials available against the present petitioner is the statement of a co-accused, the petitioner has been able to rebut the restriction

contained in Section 37 of the NDPS Act and I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail of the petitioner is allowed.

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 conditions that the petitioner shall not threaten or intimidate witnesses and shall attend the jurisdictional Court regularly and he shall surrender before the learned trial Court and pray for bail within four weeks from this date.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)