

25/08/2025

D/L 45

Ct. No.28

S.Kundu

Rejected

C.R.M.(A) 2584 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with Bagdah police station case no. 591 of 2025 dated 9.7.2025 corresponding to N Case no. 257 of 2025 under sections 21(c)/29 of the NDPS Act.

In the matter of: Ganesh Halder

... Petitioner

Mr. Malay Bhattacharyya

Ms. Sudipa Sengupta

...for the petitioner.

Mr. Koushik Kundu

Ms. Kanchan Roy

...for the State.

1. Report filed on behalf of the State is taken on record.
2. Learned counsel appearing on behalf of the petitioner submits that apart from the statement of a co-accused, there is no other incriminating material available against the petitioner.
3. Learned counsel appearing for the State relies on the case diary and the report and submits as follows. First there is a criminal antecedent against the petitioner. Secondly, there is a statement of local witnesses who had stated that at the time of raid the petitioner and others had fled away from the scene.
4. Considering the incriminating materials available in the case diary including the statements of neighbours and the restrictions contained in Section 37 of the NDPS Act, I

do not consider this to be a fit case to grant anticipatory bail to the petitioner.

5. Accordingly, the application for anticipatory bail is rejected.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)