

21.08.2025
Court No.28
Item No.68
ssi

CRM (A) 2646 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Jalangi PS Case No.**39 of 2025** dated **23.01.2025** under Sections 20(b) (ii)/21(c)/25/29 of the NDPS Act, 1985 and Sections 14A & 14 C of the Foreigners Act.

And

In the matter of: **Imajuddin Sk @ Imajuddin Sekh @ Feru & others.**
....Applicants/Petitioners.

Mr. Arnab Chatterjee
Mr. Amanul Islam
Mr. Sourav Mukherjee
Ms. Poulami Bose

...for the petitioners

Mr. Abhishek Sinha
Mr. Subhajit Chowdhury

..for the State

Learned counsel appearing on behalf of the petitioners submits as follows. There is no other incriminating material available against the present petitioner except the statement of a co-accused which is inadmissible in evidence. So far as the cases mentioned as criminal antecedents as against the petitioner nos. 1 and 2 in respect of the case against petitioner no.2, he has been acquitted.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He submits that the petitioners were committing such crimes in league with 'Bangladeshi Nationals'. There are criminal antecedents of the petitioner nos. 1 and 2 and both were in touch with the co-accused over phone at the relevant time.

Considering the fact that the petitioner nos. 1 and 2 were in touch with the co-accused over phone at the relevant time, I am not inclined to grant anticipatory bail to them.

However, in view of the fact that as against the petitioner no.3, there are no other incriminating materials except for a statement of the co-accused and the fact that charge sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner no.3.

Accordingly, the application for anticipatory bail of the petitioner nos. 1 and 2 is rejected.

However, in the event of arrest, the petitioner no.3 (Chhamad Sk @ Md. Samad Sekh) 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 no.3 shall not threaten or intimidate witnesses. The petitioner no.3 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.)