

AD 26
September 2, 2025
Ct. 28
SG

CRM(A) 2694 of 2025

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Lalgola P.S. Case No.819 of 2024 dated 05.08.2024 under Sections 21(c)/29 of the NDPS Act read with Section 111 of the BNS, 2023.

And

In the matter of:

Golam Mostafa @ Rentu @ D. Silva
... petitioner

Mr. Sabir Ahmed
Mr. Shraman Sarkar
Mr. Tasnim Ahmed
Mr. Dhiman Banerjee
Mr. Quazi Ezaz Ahmed

... for the petitioner

Mr. Avishek Sinha
Ms. Pallavi Priyadarshee

... for the State

Supplementary affidavit filed in Court is taken on record.

Learned counsel for the petitioner submits that apart from the statement of a co-accused, there is no other material available against the present petitioner. The present petitioner has been falsely implicated in this case due to personal grudge of some police officers of local police station. A writ petition has been filed in this regard.

Learned counsel for the State opposes the prayer for anticipatory bail, relies on the case diary and the report and submits that there is no criminal antecedent of the present

petitioner. No money trail has been established. No call records were available for calls with accused.

Considering the fact that the only material available against the petitioner is the statement of a co-accused, he has been able to rebut the restrictions contained in Section 37 of the NDPS Act and considering the materials on record and the fact that a charge-sheet has been submitted, 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/- (rupees ten thousand) 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 the further conditions that the petitioner shall surrender before the learned jurisdictional court and pray for bail within four weeks from this date and shall attend the learned jurisdictional court regularly and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)