

28.08.2025
SL.42
Ct.No.28
NB

CRM (A) 2693 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No.89/2024 which arose out of Lalgola PS Case No.985/2024 dated 29.9.2024 under Sections 21(c)/29 of the NDPS Act.

And

In the matter of: Soheli Hasan @ Saheli Hasan

.... petitioner

Mr. Biswajit Manna.
...for the petitioner.

Mr. Antariksha Basu,
Ms. Puja Goswami.
...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 are no other incriminating materials available against the present petitioner other than the statement of a co-accused, which is not admissible in evidence. A similarly circumstanced co-accused was granted anticipatory bail by this Court on 28.04.2025 in *CRM(A) 1335 of 2025*.

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 other incriminating material available against the present petitioner.

In view of the fact that the only material 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 considering the other materials available in the case diary and

the fact that a similarly circumstanced co-accused has been granted anticipatory bail by this Court and charge sheet has already been submitted, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall not threaten or intimidate witnesses and shall attend the jurisdictional Court regularly and he shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date.

The application for anticipatory bail being **CRM (A) 2693 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)