

AD 52
August 28, 2025
Ct. 28
SG

CRM(A) 2709 of 2025

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Berhampore P.S. Case No.1997 of 2024 dated 07.12.2024 under Sections 21(c)/29 of the NDPS Act.

And

In the matter of:

Subir Majumder @ Subir Mazumder and another
... petitioners

Mr. Jisan Iqubal Hossain
Ms. Chandrima Debnath

... for the petitioners

Mr. Bibaswan Bhattacharya
Mr. Sarthak Mondal

... for the State

Report filed by the State is taken on record.

Learned counsel for the petitioners submits that the only material available against the petitioners is a statement of a co-accused.

Learned counsel for the State opposes the prayer for anticipatory bail. However, he submits that there are no criminal antecedents. No phone call was found to be made with any co-accused. A statement of a co-accused is the only material against the petitioners. Charge-sheet has been submitted.

In view of the fact that the only material available against the petitioners is the statement of a co-accused, they have been able to rebut the restrictions contained in Section 37 of

the NDPS Act and considering the other materials available in the case diary and the fact that charge-sheet has been submitted, I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) each 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 petitioners shall surrender before the jurisdictional court and pray for bail within four weeks from this date, shall attend the 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.)