

21.11.2025
Court No.28
Item No.23
tbsr
Allowed

CRM (A) 3352 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Kaliachak** P.S. Case No. **107 of 2025** dated **11.07.2025** under Sections **21(c)/25/27A/29** of the NDPS Act.

And

In the matter of: Sagar Sk @ Abdul Mabood

....Petitioner.

Mr. Mazhar Hossain Chowdhury
...for the petitioner

Mr. Suman De
Ms. Sana Naaz
....for the State

Report filed on behalf of the State is also taken on record.

Heard the learned counsels for the parties.

Perused the case diary.

It appears that there are no phone call records showing conversation between the petitioner and the principal accused and the petitioner does not have any criminal antecedent either as per the report.

Considering the fact that the only material available against the petitioner in the case diary is the statement of a co-accused, which is inadmissible in evidence, the petitioner has been able to rebut the restriction contained in Section 37 of the NDPS Act and in view of 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 petitioner.

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 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 condition that the petitioner shall not threaten or intimidate witnesses, shall surrender before the learned jurisdictional Court within four weeks from this date and shall regularly attend the jurisdictional Court.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)