

11.11.2025
Court No.28
Item No.86
tbsr
Allowed

CRM (A) 3395 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Lalgola** P.S. Case No.**722 of 2025** dated **14.08.2025** under Sections **21(c)/29** of the NDPS Act.

And

In the matter of: Nekbar Ali

....Petitioner.

Mr. Sabir Ahmed
Mr. Shraman Sarkar
Mr. Tasnim Ahmed
Mr. Dhiman Banerjee
...for the petitioner

Mr. Saibal Bapuli, Id. APP
Mr. Arani Bhattacharyya
....for the State

Copy of information slip filed on behalf of the petitioner is taken on record.

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 the only incriminating material available in the case diary is the statement of a co-accused.

There is no money trail or call record to implicate the petitioner.

The earlier case mentioned as a criminal antecedent of the petitioner being Lalgola P.S. Case No. 424 dated 08.06.2015 ended in acquittal of the petitioner, as per the information slip.

Considering the above, it is evident that the petitioner has been able to rebut the restriction contained in Section 37 of the NDPS Act and in view of the materials available in the case diary, 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 cooperate with investigation, shall meet the I.O. once a fortnight till submission of report in final form, shall not threaten or intimidate witnesses, shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date.

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.)