

02/12/2025
D/L – 8
Court No.28
S. Kundu
Rejected

C.R.M.(A) 3451 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Gangarampur P.S case no. 416 of 2023 dated 26/8/2023 under sections 21(c)/22(c)/23(c)/27/28 of the NDPS Act.

In the matter of: Arun Saha

...Petitioner.

Mr. Mazhar Hossain Chowdhury
Ms. Chandrima Debnath

...for the petitioner.

Mr. Soumik Ganguly
Ms. S. Sultana

...for the State.

1. Learned counsel appearing for the petitioner submits that other than the statements of the co-accused, there is no incriminating material against the present petitioner.
2. Learned counsel appearing on behalf of the State relies on the case diary and the report and submits as follows. Apart from the statements of the co-accused, there are statements of two local witnesses who have supported the prosecution case, by stating that the co-accused were obtaining the contraband from the petitioner and this business was going on for a long time.
3. Considering the incriminating materials available in the case diary and the restrictions contained in Section 37 of the NDPS Act, I am not inclined to grant anticipatory bail to the petitioner.

4. Accordingly, the application for anticipatory bail is rejected.
5. The personal appearance of the Investigating Officer is noted and is dispensed with.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)