

03.12.2025  
Court No.28  
Item No.16  
ssi

**CRM (A) 3570 of 2025**

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Hili Police Station Case No. 58 of 2025 dated **21.03.2025** under Sections 21 (C)/22 (C )/23 (C)/27/27A/28 of the NDPS Act and Sections 27/27(b) (ii)/27A of the Drugs and Cosmetics Act.

And

In the matter of: **Kailash Khatik**

....Applicant/Petitioner

Mr. Ayan Bhattacharyya, Sr. Adv.  
Mr. Kaushik Choudhury

...for the petitioner

Mr. Madhusudan Sur, Ld. APP  
Mr. Karan Bapuli

..for the State

Learned senior counsel appearing on behalf of the petitioner submits that other than the statement of a co-accused, there is no other incriminating material available against the present petitioner.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. He submits that huge amount of contrabands were recovered from the three other co-accused. Two of whom are the brothers of the present petitioner. There is a statement of an independent witness which gives out that the present petitioner and a co-accused had taken a SIM from that person to use for conversation between them. Moreover, there were several phone calls between the petitioner and two other co-accused.

Considering the above, the other materials available in the case diary and the restriction contained in Section 37 of the NDPS Act, I do not consider this is to be a fit case for granting anticipatory bail.

Accordingly, the application for anticipatory bail of the petitioner is rejected.

**(Jay Sengupta, J.)**