

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL APPELLATE JURISDICTION
APPELLATE SIDE**

**CRA (DB) 401 OF 2025
Amarjeet Kumar @ Amarjeet Verma @ Amar
Vs.
National Investigation Agency**

**Before: The Hon'ble Justice Arijit Banerjee
&
The Hon'ble Justice Apurba Sinha Ray**

For the Appellant : Mr. Sabyasachi Banerjee, Sr. Adv.
Ms. Diksha Ghosh, Adv.
For the Opposite Party : Mr. A.K. Maity (Mohanty), Spl. P.P.
Mr. Bhaskar Prosad Banerjee, Spl. P.P.
Mr. Debasish Tandon, Adv.
For Orders on : 23.12.2025

Apurba Sinha Ray, J.:-

1. This is an appeal under Section 21(1) read with Section 21(4) of the National Investigating Agency Act, 2008 challenging the Order No. 37 dated August 21, 2025 passed by the Learned Chief Judge, City Session Court, Calcutta passed in NIA Case No. 05 of 2024 arising out NIA FIR NO. RC-16/2024/NIA/DLI, dated October 08, 2024 under Section 288 of Bharatiya Nyaya Sanhita read with Section 3/4/5 of the Explosive Act, arising out of

Saltora Police Station being PS Case No. 64 of 2024 dated August 30, 2024 under Section 288 of the Bharatiya Nyaya Sanhita read with Section 3/4/5 of the Explosive Act. By the said order, the appellant's prayer for bail was rejected.

2. Learned senior counsel Mr. Banerjee representing the appellant has prayed for granting bail to the appellant mainly on the ground of parity. According to him, on the self-same situation and factual matrix the other two accused persons namely, Karimul Khan @ Karibul Khan and Dhananjay Gorai were granted bail by this court and as the appellant is standing on the same footing he may also be favoured with similar privilege. Learned senior counsel Mr. Maity appearing for the NIA has opposed the prayer for bail on the ground that the present appellant Amarjeet Kumar @ Amarjeet Verma @ Amar is not standing on the same footing with the other accused who were granted bail by this court. According to Mr. Maity, a huge quantity of explosives was recovered from the possession of the present appellant, and the explosives were being dealt with by the appellant without any license and he was the king pin and a supplier of such explosives to different corners of the country. The quantity of explosives seized from the godown of the appellant was so much that it can destroy any big city. He was apprehended from Dhanbad, Jharkhand and he is a regular supplier of such illegal explosives to different anti-social elements. Mr. Maity has drawn our attention to the relevant seizure list. Mr. Maity has further argued that in comparison with the other accused who were granted bail by this court, the explosives seized from this appellant were huge in quantity. The

investigation is still going on and as the appellant is in custody for about 226 days only, he opposes the prayer for bail.

3. Mr. Banerjee has relied upon a decision of a Coordinate Bench in connection with CRA (DB) 132 of 2024 wherein this court while granting bail to the concerned petitioner observed “..... but even it is found that he was possessing huge number of explosive substances at the relevant time that does not mean that he can be incarcerated for an indefinite period without trial...”. Therefore, Mr. Banerjee has further submitted that the Coordinate Bench in a similar type of case with similar factual matrix was pleased to grant bail on the ground that there is no chance of an early conclusion of the trial.

4. Each case has to be judged on its own merits. It is correct that in comparison to the accused Karimul Khan @ Karibul Khan and Dhananjay Gorai a huge quantity of explosive substances was recovered from the two rooms of the present appellant in the presence of witnesses. From the seizure list it is found that safety fuse red colour wire 229 mtrs. 51 cms., 19487 pieces of electric denators, 901 piece gelatin sticks owing 985.500 kgs., Ammonium Nitrate 599.720 kgs. were recovered. The quantity of seized explosives was truly huge and was not comparable with the explosive substances seized from the possession of the two accused who were granted bail by this bench. We find merits in the submission of the learned counsel of the NIA that there are prima facie materials which show that the appellant is a dealer in illegal explosives without any trade license. It is also

found that the appellant is in custody for about 226 days which is also not comparable to the other accused and also the petitioner in connection with CRA (DB) 132 of 2024. The appellant was apprehended from Jharkhand and there is a chance of flight risk. As the appellant appears to be a dealer in illegal explosives and investigation is still going on, we are not inclined to allow the prayer for bail of the appellant at this stage.

5. The bail petition stands rejected. The case diary be returned.

6. Urgent photostat certified copies of this Order, if applied for, be supplied to the parties on compliance of all necessary formalities.

I Agree.

(APURBA SINHA RAY, J.)

(ARIJIT BANERJEE, J.)