

01.12.2025
Court No.28
Item No.21
ssi

CRM (A) 3587 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Kaliachak PS Case No.**206 of 2025** dated **12.02.2025** under Sections **21 (C)/25/27A/29/30** of the NDPS Act.

And

In the matter of: **Alauddin Sk @ Titu Sk**

....Applicant/Petitioner.

Mr. Milon Mukherjee, Sr. Adv.

Mr. Arup Kumar Bhowmick

...for the petitioner

Mr. Sanjay Banerjee

Mr. Dipankar Mahata

..for the State

Learned senior counsel appearing on behalf of the petitioner submits that there are no other incriminating materials available against the present petitioner except for the statement of a co-accused, which is inadmissible in evidence. The said co-accused from whose house the contraband was seized was arrested. Charge sheet has been submitted.

Learned counsel appearing on behalf of the State files a report, which is taken on record. He submits that other than the statement of the co-accused, there is no other incriminating material available against the present petitioner. As per the reports, there is no criminal antecedent of the petitioner and no money trail could be established to implicate the present petitioner.

Considering the above, I am of the view that 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, I am inclined to grant anticipatory bail to the petitioner.

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

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 conditions that the petitioner shall not threaten or intimidate witnesses. The petitioner shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall attend the jurisdictional Court regularly.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)