

AD 76
November 25, 2025
Ct. 28
SG

Allowed

CRM(A) 3640 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Hogolberia Police Station Case No. of 88 of 2025 dated 23.03.2025 under Sections 21(c)/29 of the NDPS Act.

And

In the matter of:

Sanjoy Sarkar

... petitioner

Mr. Amanul Islam
Mr. Sourav Mukherjee

... for the petitioner

Mr. Avishek Sinha
Mr. D. Mahato

... for the State

Learned counsel for the petitioner submits that the only material available against the petitioner is a statement of a co-accused, which is inadmissible in evidence.

Learned counsel for the State opposes the prayer for anticipatory bail. However, he submits that the only material available against the petitioner is the statement of a co-accused. There was no money trail or phone call record to incriminate the petitioner.

In view of the above, the petitioner has been able to rebut the restrictions contained in Section 37 of the NDPS Act and considering the other materials available in the case diary and the fact that charge-sheet has been submitted, 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/- (rupees ten thousand) 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 the further conditions that the petitioner shall surrender before the jurisdictional court and pray for bail within four weeks from this date and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)