

27/11/2025
D/L – 60
Court No.28
S. Kundu
Rejected

C.R.M.(A) 3673 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Berhampore P.S case no. 611 of 2025 dated 26.3.2025 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

In the matter of: Mafijul Islam

...Petitioner.

Mr. Arnab Chatterjee
Mr. A. Ghosh
Mr. A. Rahman
Ms. A. Ghosh

...for the petitioner.

Mr. Avishek Sinha
Mr. Mainak Gupta

...for the State.

1. Learned counsel appearing for the petitioner submits that the only material available against the petitioner is the statement of the co-accused, which is not admissible in evidence.
2. Learned counsel appearing for the State opposes the prayer for anticipatory bail. He submits that apart from other materials, the petitioner happens to be the owner of the truck from which the contraband was recovered. Despite issuance of notices, the petitioner did not cooperate with the investigation.
3. Considering the above, the other materials available in the case diary and the restrictions contained in Section 37 of the NDPS Act, I do not consider this to be a fit case to grant anticipatory bail to the petitioner.

4. Accordingly, the application for anticipatory bail is rejected.
5. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)