

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

Sl. 27
03.12.2025
Court No.28
Sc

CRM (A) 3762 OF 2025

In Re : An Application For Anticipatory Bail in connection with
Lalgola Police Station Case **No.895/2024** dated **30.8.2024** under
Sections **21(c)/29** of the Narcotic Drugs and Psychotropic
Substances Act corresponding to NDPS Case No.79/2024 filed on
04.11.2025.

And

In the matter of: **Barkatullah @ Abubarkat Tulla @ Barkat**

... Petitioner

Ms. Minoti Gomes
Mr. Jisan Iqubal Hossain.

... For the Petitioner

Mr. Suman De
Mr. Md. Yaser A. Ismail.

...For the State

Heard learned counsels for the parties and perused the case
diary.

The report filed on behalf of the State is taken on record.

Learned counsel appearing for the petitioner submits that
other than the statement of the co-accused, which is not admissible
in evidence, there is no other material available against the
petitioner. The similarly circumstanced co-accused were granted
anticipatory bail by this Court on 10.4.2025 in CRM (A) 1055 of
2025 and on 02.5.2025 in CRM (A) 1413 of 2025.

Learned counsel appearing on behalf of the State opposes the
prayer for anticipatory bail and submits that the petitioner stands

on the same footing as the one who was granted anticipatory bail on 10.4.2025.

Considering the above, this Court is of the view that the petitioner has been able to rebut the restrictions contained in Section 37 of the NDPS Act and in view of the materials available in the case diary and the fact that charge sheet has been submitted, I do not think that custodial interrogation of the petitioner is required in this case and 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, 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 condition that the petitioner shall cooperate with investigation and shall not threaten or intimidate the witnesses.

The petitioner shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date.

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

(Jay Sengupta, J.)