

22.12.2025
SL.15
Ct.No.28
NB

CRM (A) 3987 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Domkal P.S. Case No.420 of 2025 dated 15.05.2025 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: Firoj Sk @ Firoj Sekh @ Firoj Mondal
... petitioner

Mr. Partha Pratim Sinha,
Md. Golam Nure Imrohi.
...for the petitioner.

Mr. Sanjay Banerjee,
Mr. Kaustav Banerjee.
...for the State.

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits that the only material available against the petitioner is the statement of a co-accused which is not admissible in evidence.

Learned counsel appearing on behalf of the State relies on the case diary, and the report and opposes the prayer for anticipatory bail. However, he submits that there is no phone call record or money trail or any criminal antecedent to implicate the petitioner. The only material available against the petitioner is the statement of a co-accused. A similarly circumstanced co-accused was granted anticipatory bail by this Court.

In view of the above, the petitioner has been able to rebut the restriction contained in Section 37 of the NDPS Act and considering the other materials available in the case diary, the fact that

a co-accused has been granted anticipatory bail and the fact that charge sheet has been submitted, I am inclined to grant anticipatory bail to the present petitioner.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall not threaten or intimidate witnesses or tamper with evidence and 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.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)