

19/12/2025
D/L – 39
Court No.28
S. Kundu
Allowed

C.R.M.(A) 3991 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Lalgola P.S case no. 320 of 2025 dated 18/4/2025 under Sections 21(c)/29 of the NDPS Act.

In the matter of: Masud Ali @ Mithu

...Petitioner.

Mr. Shiprovon Kr. Seal
Ms. Dibyanjona Das

...for the petitioner.

Mr. Madhusudan Sur
Mr. Sachit Talukdar

...for the State.

1. Report filed on behalf of the State is taken on record.
2. Learned counsel appearing for the petitioner submits that the only material available against the petitioner is the statements of a co-accused, which is not admissible in evidence. The principal accused has been granted bail.
3. Learned counsel appearing for the State opposes the prayer for anticipatory bail. However, he submits that there is no phone call record or money trail or criminal antecedent that can implicate the present petitioner. Other than the statements of the co-accused, there is no other material available in the case diary.
4. 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 materials available in the case diary, I am inclined to grant anticipatory bail to the petitioner.

5. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further conditions that the petitioner shall cooperate with the 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 date and the petitioner shall attend the jurisdictional Court regularly.
6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)