

20.02.2025
Court No.01
rpan/ 53

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

CRM (A) 106 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Jaigaon Police Station Case No.21 of 2025 dated 02.02.2025 under Sections 17(b)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985;

And

In Re: Bappi Islam & Others

- Petitioners.

Mr. Debasish Mukherjee,
Ms. Madhushri Dutta,
Ms. Srishti Sarkar
...for the Petitioners.

Mr. Nilay Chakraborty, Ld. APP
Mr. Sourav Ganguly
...for the State.

1. It is said on behalf of the petitioners that all the allegations, as made against them, are baseless and they have been falsely impleaded in this case. Nothing contraband has been seized from the possession of these accused petitioners and their names have transpired on the basis of statements of the co-accused persons. So, it is submitted that no useful purpose will be served by putting these petitioners behind the bar for sake of custodial interrogation.
2. The learned advocate for the State raises objection.
3. Perused the materials on record.
4. Keeping in mind the involvement of these accused petitioners in the alleged offence and contraband article was recovered from the possession of the principal accused who is not before us. The contraband article below the commercial quantity was seized and recovered from the possession of the principal accused who is still

in custody. The statutory embargo created under Section 37 of the NDPS Act is not attracted in this case.

5. In view thereof, we are of the opinion that no purpose will be served by putting these accused petitioners behind the bar for sake of custodial interrogation. Accordingly, we are inclined to grant anticipatory bail to these accused petitioners.

6. Accordingly, we direct that in the event of arrest the petitioner, namely, **Bappi Islam, Bappa Islam, Banu Begam @ Banu Bibi, Mamtaj Khatun** and **Mampi Khatun** 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 subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. It is further directed that these accused petitioners shall meet the investigating officer once in a week until further order.

7. The application for anticipatory bail, being CRM (A) 106 of 2025, is disposed of.

8. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Prasenjit Biswas, J.)

(Tapabrata Chakraborty, J.)