

03.04.2025  
Item no. 10.  
Court No.1.  
AB  
(Allowed)

**Calcutta High Court  
In the Circuit Bench at Jalpaiguri**

**CRM (A) 147 of 2025**

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Pundibari Police Station Case No.1068 of 2024 Dated 19.12.2024 under Sections 21(b)/22(b)/27A/29 of the NDPS Act

And

**In the matter of : Firoj Ali @ Sani Ali                      .....Petitioner.**

Mr. H. S. Poddar                      .....for the Petitioner.

Mr. A. S. Chakraborty, Id. APP  
Mr. Subhasish Misra                      .....for the State.

1. The petitioner says that there was no recovery of narcotics from him. Intermediate quantity of brown sugar was allegedly recovered from co-accused persons. He has been implicated solely on the basis of statements made by co-accused persons. He is fully prepared to cooperate with the Investigating Officer. He prays for anticipatory bail.
2. Learned Advocate for the State, while opposing the prayer for anticipatory bail, does not dispute that there was no recovery from this petitioner. Intermediate quantity of narcotics is involved.
3. In view of the aforesaid, the rigors of Section 37 of the NDPS Act would not apply. I am inclined to allow the

petitioner's prayer for anticipatory bail so long as he fully cooperates with the Investigating Officer.

4. Accordingly, in the event of arrest, the petitioner, namely **FIROJ ALI @ SANI ALI** shall be released on bail upon furnishing a bond of Rs.25,000/-, with two sureties of Rs.12,500/-each, one of whom must be local, to the satisfaction of the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 until further orders and on further condition that he shall report to the Investigating Officer once in a fortnight till completion of investigation. The petitioner shall go and meet the Investigating Officer within seven days from date.
5. In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code of Criminal Procedure, 1973/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, the learned Court below shall be entitled to cancel the anticipatory bail without further reference to this Court.
6. The application for anticipatory bail, being CRM (A) 147 of 2025, stands disposed of.
7. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

**(Arijit Banerjee, J.)**

