

**In the High Court At Calcutta
Jalpaiguri Circuit Bench
CRM (A) 222 of 2025**

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure/Section 482 of the BNSS in connection with **Raiganj Police Station** Case No. **374 of 2022** dated **25.06.2022** under Sections **21(c)/29** of the NDPS Act.

- A n d -

In the matter of : Rasid Ali

.... Petitioner.

Mr. Srishti Sarkar,
Ms. Rishita Chakraborty,
Mr. Gopal Roy,

... For the Petitioner.

Mr. Kollol Acharjee,
Mr. Dhiman Shil,

... For the State.

1. The petitioner says that there was no recovery from him. His implication is solely on the basis of the alleged confession made by him before the police when he was taken into custody in connection with another NDPS case. A prayer was made in that case for the petitioner to be shown arrested. That prayer was allowed. The petitioner was never produced before the Magistrate.
2. Alleged confession before the police authority may not be admissible in evidence. There was no recovery of narcotics from the petitioner. Hence, I am of the view that the petitioner has been able to tide-over the restrictions in Section 37 of the NDPS Act.
3. Therefore, considering the facts and circumstances of the case, I am of the view that immediate custodial interrogation of the petitioner is not necessary.
4. Accordingly, in the event of arrest, the petitioner, namely **Rasid Ali**, 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 the arresting officer and shall abide by the conditions laid down in Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 until further orders and on further condition that the petitioner shall report to the Investigation Officer within seven days. The petitioner shall report to the Investigating Officer once in a fortnight and as and when called for until further orders.

5. In case the petitioner fails to adhere to any of the conditions mentioned hereinabove or in Section 438(2) of the Code of Criminal Procedure/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) 222 of 2025 is 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.)