

23. 09.04.2025
Court
No.1 (Papiya)

Allowed

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

CRM (A) 259 of 2025

In Re: - An application for anticipatory bail under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Bhaktinagar Police Station Case No. 1375 of 2022** dated **26/12/2022** under Sections **21(c)/25/29** of the Narcotics Drugs and Psychotropic Substance Act, 1985.

And

In the matter of: - **Rohit Sahani.**

...petitioner.

Mr. Supratim Nag, Adv.
Ms. Trishna Roy, Adv.

...for the petitioner.

Mr. Aditi Shankar Chakraborty, Ld. APP.
Mr. Aniruddha Biswas, Adv.

...for the State.

1. The petitioner says that there was no recovery of Narcotics from him. He has been implicated solely on the basis of statements made by co-accused persons from whom commercial quantity of narcotics was seized. Those persons are on bail. Charge sheet has been filed upon completion of investigation. He prays for pre-arrest bail.
2. Learned State Advocate, while opposing the bail prayer, in his usual fairness does not dispute that there was no recovery from this petitioner and his implication is solely on the basis of statements made by co-accused persons. To my query as to whether or not there are call detail reports or money trail linking this petitioner to the alleged offence, learned State

Advocate fairly submits that there is no such material in the case diary.

3. In the aforesaid facts and circumstances of the case, I am of the opinion that the petitioner has been available to tide over the restrictions in Section 37 of the NDPS Act.
4. Hence, I am inclined to **allow** his prayer for anticipatory bail.
5. Accordingly, in the event of arrest, the petitioner, namely, **Rohit Sahani**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Sessions Judge, First Court, Jalpaiguri, 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 meet the Officer-in-Charge/Inspector-in-Charge of the concerned police station once in a fortnight and as and when call for, until further orders. Within seven days from date, the petitioner shall go and meet the Officer-in-Charge/Inspector-in-Charge of the concerned police station.
6. The application for anticipatory bail being CRM (A) 259 of 2025 is, thus, **allowed** and disposed of.
7. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

(Arijit Banerjee, J.)