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09.07.2025

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Allowed

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

C.R.M. (A) 398 of 2025

In Re : An application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kotwali Police Station Case No. 281 of 2025 dated 18.03.2025 under Sections 21(b)/22(b)/29 of the NDPS Act.

And

In Re : **Majnu Haque Hossain @ Majanu Hossain**

Mr. Hillol Saha Podder
Ms. Mousumi Das

... for the petitioner.

Mr. Aditi Shankar Chakraborty
Mr. Saurav Ganguly

... for the State.

Heard learned counsels for the parties.

The petitioner has been implicated only on the basis of statement of the co-accused. No recovery has been made from him. Charge sheet has been submitted. The principal accused has been granted bail.

In view of the above, this Court is inclined to hold that the petitioner has been able to rebut the statutory restriction under Section 37 of the NDPS Act and is entitled to anticipatory bail.

Accordingly, in the event of arrest, the petitioner namely Majnu Haque Hossain @ Majnu Hossain be released

on bail upon furnishing bond of Rs.10,000/-(Rupees Ten Thousand), with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions laid down under Section 482(2) of the BNSS. The petitioner shall appear before the jurisdictional Court and pray for regular bail within two weeks from date.

The application for anticipatory bail is thus disposed of.

Case diary be returned.

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

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)