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**IN THE HIGH COURT AT CALCUTTA  
Circuit Bench at Jalpaiguri  
C.R.M. (A) 407 of 2025**

In Re : An application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Kharibari Police Station Case No. 122 of 2025 dated 03.05.2025 under Sections 21(b) and 29 of the NDPS Act.

And

In Re : **Suku Barman**

Mr. Subham Ghosh  
Mr. Mayank Roy

... for the petitioner.

Mr. Aditi Shankar Chakraborty  
Mr. Sourav Ganguly

... for the State.

Heard learned counsels for the parties.

It appears that the petitioner's name has transpired from the statement of the co-accused. No recovery has been made from the petitioner.

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

Accordingly in the event of arrest, the petitioner namely Suku Barman be released on bail upon furnishing a 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.)**