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**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

C.R.M. (A) 417 of 2025

In Re : An application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Sitai Police Station Case No. 25 of 2025 dated 31.01.2025 under Sections 21(C)/29 of the NDPS Act.

And

In Re : **Bishnu @ Bishnupada Roy & Ors.**

Mr. Sourav Ganguly
Mr. Bibek Tarafder
Mr. Gopal Roy
Ms. Rishita Chakraborty

... for the petitioners.

Mr. Abhijit Sarkar
Mr. Biswaroop Roy

... for the State.

The investigating officer is present. Report submitted by the investigating officer is taken on record.

Heard learned counsels for the parties.

The names of the petitioners have transpired from the statement of the co-accused. No recovery has been made from them.

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

Accordingly in the event of arrest, the petitioners namely Bishnu @ Bishnupada Roy, Bimal Ray, Jiyarul Miah @ Jiyaul Rahaman, Akramul Miah @ Ekramul Miah, Ali Miah @ Ali Hossain Miah, Asharaful Mia and Alimul Miah @ Alimub be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand) each, 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 petitioners 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.)