

07.07.2025

Item No.31

Ct.No.02

rc.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (A) 457 of 2025

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Rajganj Police Station Case No. 171 of 2023 dated 02.04.2023.

And

In Re : **Litan Sarkar @ Lintan Sarkar**

... Petitioner

Mr. Sourav Sarkar

... for the Petitioner

Mr. Aditi Shankar Chakrabarty

Mr. Kallol Nag

... for the State

Heard learned counsels for the parties.

The petitioner's name has transpired from the statement of the co-accused. He is not named in the FIR. No recovery has been made from him.

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 petitioners **Litan Sarkar @ Lintan Sarkar** be released on bail on furnishing bond of Rs.10,000/- (Rupees Ten Thousand only), with two

sureties of like amount each, to the satisfaction of the arresting officer and subject to provision under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. 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.

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

(Suvra Ghosh, J.)