

22.07.2025
Item No.5
Ct. No. 03
KS

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

C.R.M. (A) 463 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Alipurduar** Police Station Case No.67 of 2025 dated 01.03.2025 under Sections 21(c)/25/29 of the Narcotic Drugs & Psychotropic Substances Act.

And

In the matter of : **Anit Biswakarma**

.....Petitioner

Mr. Hillol Saha Podder

....For the Petitioner

Mr. Kallol Acharjee

Mr. Bhaskar Das

....For the State

1. Learned counsel appearing on behalf of the petitioner has submitted that nothing was seized from the possession of the accused person and he was also not named in the First Information Report. But, the claim of the petitioner is that he has only been arraigned on the basis of co-accused's statement.
2. The materials in the Case Diary particularly, the seizure list has substantiated the contention advanced on behalf of the petitioner.
3. In view of the aforesaid facts and circumstances, in my opinion, the petitioner has overcome the statutory legislative hurdle imposed under Section 37 of the Narcotic Drugs & Psychotropic Substances Act.

4. Accordingly, I direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with the surety to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 482(2) of the BNSS and on condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without any further reference to this Court.
5. This application for anticipatory bail is, thus, allowed.
6. As a sequel, the application being, **C.R.M.(A) 463 of 2025** stands disposed of.
7. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.
8. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.

(Bibhas Ranjan De. J.)

