

24.11.2025
Item no.11(DL)
Court No.3
srm
(Allowed)

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
CRIMINAL MISCELLANEOUS JURISDICTION

C.R.M. (A) 667 of 2025

In Re:- An application for anticipatory bail under Section 482 of the BNSS, 2023 in connection with Mathabhanga P.S. Case No.436 of 2025 dated 06.06.2025 under Sections 21(b)/25/29 of the NDPS Act pending before the learned Additional Sessions Judge, 1st Court (NDPS), Sadar, Coochbehar.

In the matter of : **Bishnu Barman**

... Petitioner.

Mr. Subhasish Misra,
Mr. Satyajit Paul,
Mr. Rounak Ghosh

...for the Petitioner.

Mr. Saikat Chatterjee,
Mr. Chattu Roy

...for the State.

1. Learned Advocate for the petitioner submits that the name of the petitioner has transpired from the statement of the co-accused. There is no such recovery from the exclusive possession of the petitioner. The person, who was apprehended on the date of incident has been granted bail, since the alleged contraband substances seized was of intermediate quantity. Upon completion of investigation, charge sheet has already been submitted. He seeks for grant of anticipatory bail in favour of the petitioner.
2. Opposing such prayer for anticipatory bail, learned Advocate for the State submits that the name of this petitioner has transpired from the statement of the co-

accused, stating that the present petitioner to be the seller from whom he has procured the contraband substances. He seeks for dismissal of the application for grant of anticipatory bail.

3. Perused the case diary and the materials on record.
4. It is found that the name of the petitioner has transpired from the statement of the co-accused. During the course of investigation, there is no such recovery from the possession of the petitioner. In view of the above, I am inclined to grant the prayer of the petitioner for anticipatory bail.
5. Accordingly, in the event of arrest the petitioner namely **Bishnu Barman** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall meet the Investigating Officer of the concerned police station once in a fortnight until further orders and shall attend the Court on the dates fixed for appearance and hearing. The petitioner shall cooperate with the Investigating Officer.
6. In case the petitioner fails to adhere to any of the conditions mentioned in Section 438(2) of the Code/ Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023, the learned Court below shall be entitled to cancel

the anticipatory bail without further reference to this Court.

7. This application for anticipatory bail is, thus, allowed.
8. ***CRM (A) 667 of 2025*** stands disposed of.

(Bivas Pattanayak, J.)