

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

19.11.2025
14(DL)
Ct. No.3
srm
(Rejected)

C.R.M. (A) 712 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sahebganj P. S. Case No.129 of 2025 under Sections 20(b)(ii)(C)/29 of the NDPS Act, 1985 pending before the learned Sessions Judge, 1st Court (NDPS), Sadar, Cooch Behar.

In the matter of : Manoj Kumar Barman

... Petitioner.

Ms. Ipsita Ghosh

...for the Petitioner.

Mr. Kallol Acharjee,
Mr. Tapan Bhattacharjee

...for the State.

1. Petitioner renews his prayer for anticipatory bail.
2. Learned Advocate for the petitioner, appearing through virtual mode, at the outset submits that the previous bail application being CRM(A) 268 of 2025 has been '*not pressed*' on behalf of the petitioner. She submits that charge sheet has been submitted without the FSL report and therefore it is incomplete. There is no such recovery from the possession of the petitioner. She seeks for anticipatory bail on behalf of the petitioner.
3. Opposing such prayer for anticipatory bail, learned Advocate for the State submits that 209.70 kgs. of alleged contraband substance (ganja) has been recovered from the house of the petitioner. He seeks for dismissal of the application for grant of anticipatory bail.

4. Perused the case diary and materials on record.
5. Admittedly, 209.70 kgs. of contraband substance has been recovered from the house of the petitioner. The FSL report shows that exhibits sent for opinion of the expert are contraband substance, namely ganja. It has been strenuously argued on behalf of the petitioner that the charge sheet is incomplete since FSL report has not been included therein. In ***Dinesh Dalmia versus CBI*** reported in **(2007) 8 SCC 770**, the Hon'ble Supreme Court has held that though ordinarily all documents should accompany the charge sheet but even if all documents have not been filed, the same would not vitiate filing of the same. Further on analysis of statutory provisions of Sections 173 of Cr.P.C., it can safely be stated that a charge sheet containing details specified in Section 173 of Cr.P.C., if filed within stipulated period, is not vitiated or incomplete simply because the same was not accompanied by FSL report. Considering the aforesaid materials and the nature and gravity of the offence, I am not inclined to grant anticipatory bail to the petitioner.
6. Thus, the prayer for anticipatory bail is rejected.
7. **CRM (A) 712 of 2025** stands dismissed.

(Bivas Pattanayak, J.)