

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

17.12.2025

Court No.01
rpan/51

CRM (A) 926 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (corresponding to Section 438 of the Code of Criminal Procedure);

And

In Re: Abdul Majid Sekh

- Petitioner.

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Mr. Sudip Guha
...for the Petitioner.

Mr. Anirban Biswas
...for the State.

Apprehending arrest in connection with Sahebganj Police Station Case no.235 of 2025 dated 29.04.2025 under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, the present application has been preferred.

Mr. Guha, learned senior advocate appearing for the petitioner submits that the rigors of Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 are not attracted since there is no recovery of contraband substance from the possession of the petitioner. His name transpires on the basis of co-accused statement. Upon completion of investigation chargesheet has also been submitted. In view thereof, the petitioner may be granted anticipatory bail on any condition.

Mr. Biswas, learned advocate appearing for the State has drawn the attention of this Court to the statement of the witnesses and other documents in the case diary.

Heard the learned advocates appearing for the respective parties

Prima facie, it appears that no contraband substance was recovered from the petitioner and his name transpired on the basis of co-accused statement. In view thereof, rigors of Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 are not attracted against the petitioner and as such, I am inclined to exercise discretion in his favour, moreso when, upon completion of investigation chargesheet has been submitted.

Accordingly, I direct that in the event of arrest the petitioner, namely, **Abdul Majid Sekh** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with further condition that the petitioner shall reside at the address given in the cause title and shall meet with the Officer-in-Charge, Sahebganj Police Station once a fortnight until further orders. He shall also attend the learned trial Court on all the dates as fixed for hearing.

It is made clear that in the event the petitioner fails to comply with the aforesaid directions without any justifiable cause, the learned trial court would be at liberty to cancel his bail without any further reference to this Court.

The application for anticipatory bail, being CRM (A) 926 of 2025, is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Tapabrata Chakraborty, J.)