

24.12.2025
Court No.01
Item No.70
Avijit Mitra

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

CRM (A) 1003 of 2025

In Re:- An application under Section 482 of the
Bharatiya Nagarik Suraksha Sanhita, 2023;

And

In Re: Mominul Islam @ Raju

-Petitioner

Mr. Kumar Shantanu,
Mr. Taiab Sahadat,
Mr. Parthib Bhowmick
...for the Petitioner
Mr. Kallol Acharjee,
Ms. Sukanya Adhikary
...for the State

Apprehending arrest in connection with Falakata Police
Station Case No.469 of 2025 dated 22.09.2025 under Sections
21(c)/25/29 of the NDPS Act, 1985, the present application has
been preferred.

Mr. Shantanu, learned advocate appearing for the
petitioner submits that the petitioner has been falsely
implicated. His mother has been hospitalized and he is not being
able to attend his mother. In support of such contention reliance
has been placed upon a medical certificate. Let the same be kept
on record.

He further submits that there had been no recovery of
contraband substance above commercial quantity from the
possession of the petitioner and his name has transpired on the
basis of co-accused's statement.

Mr. Acharjee, learned advocate appearing for the State opposes the petitioner's prayer and submits that investigation is still continuing.

It appears that there has been no recovery of contraband substance above commercial quantity from the possession of the petitioner and that rigor of Section 37 of the NDPS Act are, *prima facie*, not attracted against the petitioner. His name has transpired on the basis of the statement of co-accused persons. In the said conspectus, I am of the opinion that the petitioner's custodial interrogation is not necessary.

Accordingly, I direct that in the event of arrest the petitioner, namely, **Mominul Islam @ Raju** 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 with a further condition that the petitioner shall meet with the investigating officer once in a week till investigation is complete.

The application for anticipatory bail, being CRM (A) 1003 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.)