

06.02.2026
Court No.28
Item No.61
tbsr
Allowed

CRM (A) 268 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Sagarpara** P.S. Case No.**884 of 2025** dated **25.09.2025** under Sections **21(c)/29** of the NDPS Act.

And

In the matter of: Nantu Sha @ Shah & Anr.

....Petitioners.

Mr. Snehansu Majumder
....for the petitioners

Ms. Sreyashee Biswas
Ms. Ratna Ghosh
....for the State

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioners submits that there are no incriminating materials against the petitioners except for the statement of a co-accused, which is inadmissible in evidence.

Learned counsel appearing on behalf of the State relies on the report, the case diary and opposes the prayer for anticipatory bail. She submits that there is no phone call record or money trail or criminal antecedent of the petitioners to implicate them in this case. There is no other material available in the case diary against them as of now except for the statement of a co-accused.

In view of the above fact that the only material available against the petitioners against the statement of the co-accused, the petitioners have been able to rebut the restriction contained in

Section 37 of the NDPS Act and considering the materials available in the case diary, I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further condition that the petitioners shall cooperate with investigation, shall meet the I.O. once a week till submission of report in final form, shall not threaten or intimidate witnesses, shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall attend the jurisdictional Court regularly.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)