

18.02.2026
Court No.28
Item No.36
ssi

CRM (A) 361 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Kaliachak Police Station Case No. **296 of 2025** dated **26.02.2025** under Sections **21 (C)/27A/29 of the NDPS Act.**

And

In the matter of: **Nutu Sekh.**

.... Petitioner.

Mr. Arup Kumar Bhowmick
Mr. Nirupam Dhali

...for the petitioner

Ms. Anasuya Sinha, Ld. APP
Mr. Saurath Nandi

..for the State

Learned counsel appearing on behalf of the petitioner submits that other than the statements of a co-accused, there is no incriminating material available against the present petitioner. Charge sheet has been submitted.

Learned Additional Public Prosecutor files a report, which is taken on record and opposes the prayer for anticipatory bail. However, she submits that there are no criminal antecedents or money trail to implicate the present petitioner. No phone call conversations could also be established between the accused, more so, as the petitioner could not be arrested.

It appears that a co-accused had already been arrested. Therefore, there should not have been any problem to find out phone call records from his phone numbers that would involve any phone call made to the petitioner or any other person.

In view of the fact that other than the statements of the co-accused, there is hardly any incriminating materials available against the present petitioner, I am of the view that the petitioner has 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 petitioner.

Accordingly, the application for anticipatory bail of the petitioner is allowed.

In the event of arrest, the petitioner 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 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 conditions that the petitioner 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 petitioner shall not threaten or intimidate the witnesses.

(Jay Sengupta, J.)