

24/02/2026  
D/L – 43  
Court No.28  
S. Kundu  
Allowed

**C.R.M.(A) 467 of 2026**

**In Re:** An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Kaliachak P.S case no. 1376 of 2025 dated 5/8/2025 under sections 21(c)/27A/29 of the NDPS Act.

**In the matter of: Barkat Mia**

...Petitioner.

Mr. Amitabha Karmakar  
Mr. Anup Kr. Bhowmick

...for the petitioner.

Mr. Iqbal Kabir  
Ms. Sonali Bhar

...for the State.

1. Memo of evidence filed by the State is taken on record.
2. Learned counsel appearing for the petitioner submits that other than the statement of co-accused, there are no incriminating materials available against the petitioner.
3. Learned counsel appearing for the State opposes the prayer for anticipatory bail. However, he submits that other than the statement of a co-accused, there is hardly any material available against the petitioner. There are no phone calls or criminal antecedents or money trail to implicate the petitioner.
4. In view of the above, the petitioner has been able to rebut the restrictions contained in Section 37 of the NDPS Act and considering the materials available in the case diary and the fact that charge sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.

5. In the event of arrest, the petitioner 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 further conditions that the petitioner shall not threaten or intimidate the witnesses. The petitioner shall surrender before the learned jurisdictional Court and pray for bail within four weeks from date and regularly attend the jurisdictional Court.
6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

**(Jay Sengupta, J.)**