

05.03.2026
Court No.28
Item No.35
ssi

CRM (A) 486 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.**40 of 2026** dated **08.01.2026** under Sections **21 (c)/27A/29 of the NDPS Act.**

And

In the matter of: **Merajul Mia @ Miraj Miah.**

.... Petitioner.

Mr. Amitabha Karmakar
Mr. Arup Kumar Bhowmick

...for the petitioner

Mr. Subhomay Bhattacharya
Md. Ejaz Akhter

..for the State

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

Learned counsel appearing on behalf of the petitioner submits that other than the statements of a co-accused, there is no other incriminating material available in the case diary against the present petitioner.

Learned counsel appearing on behalf of the State strongly opposes the prayer for anticipatory bail. However, he submits that other than the statements of a co-accused, there is hardly any other material available in the case diary against the present petitioner. As per the report, there is no criminal antecedent or phone call record or money trail to implicate the present petitioner.

In view of the above, 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 do not think that custodial

interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

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 co-operate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the I.O. once a week till submission of report in final form. The petitioner shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)