

AD 21
February 26, 2026
Ct. 28
SG

Reject

CRM(A) 490 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Daulatabad P.S. Case No.236 of 2025 dated 03.08.2025 under Sections 21(C)/29 of the NDPS Act.

And

In the matter of: *Sumon Sarkar @ Suman Sarkar*
... petitioner

Mr. Avik Ghosh ... for the petitioner

Mr. Ranadeb Sengupta
Mr. Tirupati Mukherjee ... for the State

Learned counsel for the petitioner submits that the petitioner is only the owner of the vehicle from where the contraband was recovered. He had executed a power of attorney in favour of a third person, for the use of such vehicle. However, the petitioner's father was arrested in this case and pursuant to his statement, contraband was recovered from the said father's garment shop.

Learned counsel for the State opposes the prayer for anticipatory bail and submits that not only the vehicle belongs to the petitioner, but the petitioner's father was also involved in this case. Pursuant to his statement, recovery of further contraband was made, and most importantly, the petitioner's mobile phone was also seized from the car along with the contraband.

Considering the above, the other materials available in the case diary and in view of the restrictions contained in Section 37 of the NDPS Act, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail is, thus, rejected.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)