

AD 47
March 9, 2026
Ct. 28
SG

Allowed

CRM(A) 529 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Jalangi P.S. Case No.550 of 2025 dated 17.10.2025 under Sections 20(b)(ii)(c)/29 of the NDPS Act, 1985.

And

In the matter of: *Chhamad Sk @ Md. Samad Sekh and another*
... petitioners

Mr. Amanul Islam
Mr. Sourav Mukherjee
Mr. Raja Das

... for the petitioners

Mr. Partha Pratim Das
Mr. S.S. Saha

... for the State

Report filed by the State is taken on record.

Copy of the order dated 21.08.2025 passed by this Court in CRM(A) 2646 of 2025, as filed by the petitioners, is also taken on record.

Learned counsel for the petitioners submits that the only material available against the petitioners is the statement of a co-accused which is inadmissible in evidence. The petitioner No.1 was implicated in the instant case after he was granted anticipatory bail in Jalangi Police Station Case No.39 of 2025 by this Court.

Learned counsel for the State opposes the prayer for anticipatory bail, refers to the said Jalangi Police Station Case No.39 of 2025 as one criminal antecedent pending against the present petitioner No.1. Otherwise, there are no

other criminal antecedent or money trail and phone call conversation to implicate the present petitioners.

In view of the above, the petitioners have been able to rebut the restrictions 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 petitioners is required in this case and 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/- (rupees ten thousand) 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 the further conditions that the petitioners shall cooperate with the investigation, shall meet the investigating officer once a week till submission of report in final form, shall surrender before the jurisdictional court and pray for bail within four weeks from this date and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

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

(Jay Sengupta, J.)

