

08.04.2026
Court No.28
Item No.54
tbsr

CRM (A) 651 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/Section 438 of the Code of Criminal Procedure, 1973 in connection with summons issued under Section 67 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Radhakanta Kundu.

....Petitioner.

Mr. Antarikhya Basu

Ms. Mayurakshi Saha

....for the petitioner

Mr. Nadeem Sulaiman

Mr. Tapan Bhanja

....for the DRI

Leave is granted to file supplementary affidavit. The same as filed in Court is taken on record.

A copy has already been served upon the learned counsel for the DRI.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was summoned by the DRI in connection with an NDPS case. As per the direction passed by this court, the petitioner has complied with the notice issued and has met the Investigating Officer.

Learned counsel appearing on behalf of the DRI submits that, as of now, the petitioner has not been made an accused in this case. The materials available show that the petitioner's mobile phone had been used by a co-accused and that the consignments of codeine bottles were suspected to be somehow connected with the present petitioner. Pursuant to a direction passed by this Court, the

Investigating Officer has already examined the petitioner twice. If necessary, further examination may have to be done.

It appears that the petitioner is not an accused in this case as of now.

Considering the above, the application for anticipatory bail is disposed of as not maintainable. However, liberty is to the petitioner to pray for anticipatory bail in connection with the instant case, in the event the petitioner is made an accused therein.

If any further notice or summons is issued to the petitioner, it shall be clarified whether he has already been made an accused or not, and be sent along with the case details.

With these observations, the application for anticipatory bail is, thus, disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)