

AD 60
April 8, 2026
Ct. 28
SG

Allowed

CRM(A) 728 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Farakka P.S. Case No.304 of 2025 dated 04.08.2025 under Sections 21(c)/29 of the NDPS Act.

And

In the matter of: Abdul Sektor Sekh @ Abdul Sattar Sekh
... *petitioner*

Md. Wasim Akram
Mr. M.S. Islam

... for the petitioner

Mr. Kaushik Kundu
Ms. Rituparna Saha

... for the State

Report filed by the State is taken on record.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. There is no incriminating material available in the case diary against the petitioner other than the statement of a co-accused which is not admissible in evidence. Charge-sheet has been submitted.

Learned counsel for the State opposes the prayer for anticipatory bail, relies on the case diary and submits that there is no phone call conversation or money trail or criminal antecedent to implicate the petitioner.

In view of the fact that there is no other incriminating material available against the petitioner except the statement of a co-accused, 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 that a charge-sheet has been submitted, 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/- (rupees ten thousand) 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 petitioner shall surrender before the jurisdictional court within four weeks from this date and pray for bail, shall attend the jurisdictional court regularly 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.)