

20.05.2026  
Court No.28  
Item No.50  
ssi

**CRM (A) 1261 of 2026**

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita in connection with Raghunathganj Police Station Case No. 534 of 2023 dated 22.06.2023 under Sections 21 ( c)/29 of the NDPS Act.

And

In the matter of: **Mesher Sk. @ Meser Sk & another.**

.... Petitioners

Mr. Sandip Chakraborty  
Mr. Moyukh Mukherjee  
Mr. Kaustav Das

...for the petitioners

Mr. Pritam Roy

..Amicus

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

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners have been falsely implicated in this case. The prosecution case is that some contraband was recovered from a motorbike near the border by BSF personnel. According to the BSF personnel, local enquiry revealed that the petitioners were also involved in the crime. They were named in the FIR. Charge sheet has already been submitted.

Learned Amicus assisting the State relies on the case diary and the report and opposes the prayer for anticipatory bail. However, he submits that apart from the statement of the BSF personnel that he, upon enquiry, got to know about the petitioners' involvement in this case, there is no statement of any witness naming the petitioners as being involved in the crime. As per the report, there is no criminal

antecedent or phone call conversation with the principal accused or money trail to implicate the 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 other materials available in the case diary, 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/- 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 further conditions that the petitioners surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall attend the jurisdictional Court regularly. The petitioners shall not threaten or intimidate the witnesses.

The application for anticipatory bail is, thus, disposed of.

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

**(Jay Sengupta, J.)**