

21.05.2026
Sl. No.35
Ct. 28
NB

C.R.M (A) 1284 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kaliachak PS Case No.116/2026 dated 23.01.2026 under Sections 21(c)/27A/25/29 of the NDPS Act.

And

In the matter of: Obaidur Rahaman & Anr.

... petitioners

Mr. Amitabha Karmakar,
Mr. Arup Kumar Bhowmick.
...for the petitioners.

Mr. Krishnendu Bhattacharya,
Mr. Pritam Roy.
.....Amicus

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

Learned counsel appearing on behalf of the petitioners submits that other than the statement of a co-accused, there is no other incriminating material available against the present petitioners.

Learned Amicus assisting the State relies on the case diary and opposes the prayer for anticipatory bail. However, relying on the report, he submits that there is no criminal antecedent or phone call conversation record or money trail to implicate the present petitioners.

In view of the above, the petitioners has 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 present petitioners.

Accordingly, 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 Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioners shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall cooperate with the investigation and shall meet the Investigation Officer once a week till submission of report in final form.

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

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)