

19.06.2026
Sl. No.13
Ct. 28
NB

C.R.M (A) 1333 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 Malda PS Case No.785/2025 dated 09.11.2025 under Sections 21(c)/22(c)/23(c)/27A of the NDPS Act.

And

In the matter of: Alauddin Sk @ Alauddin Sekh

... petitioner

Md. Wasim Akram,
Ms. Sabrina Parveen
...for the petitioner.

Mr. Somnath Adhikary.
...for the State.

The appointment of the learned counsel appearing on behalf of the State may be regularized in due course.

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

Learned counsel appearing on behalf of the petitioner submits as follows. Other than the statement of a co-accused, which is not admissible in evidence, there is no incriminating material available to implicate the present petitioner. Charge sheet has been submitted.

Learned counsel appearing on behalf of the State relies on the case diary and opposes the prayer for anticipatory bail. He submits that other than the statement of a co-accused, there is no incriminating material available in the case diary against the present petitioner. The report also shows that there is no money trail or phone call conversation to implicate the present petitioner. However, there are three criminal antecedents against the

petitioner, although the same are not under the provisions of the NDPS Act.

In view of the above, the petitioner 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, and the fact that charge sheet has already been submitted, I am inclined to grant anticipatory bail to the present petitioner.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- 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 petitioner 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 regularly attend the jurisdictional Court.

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.)