

08.06.2026
Sl. No.12
Ct. 28
NB

C.R.M (A) 1363 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 Hili PS Case No.153/2025 dated 04.07.2025 under Sections 21(c)/22(c)/23(c)/27A/28 of the NDPS Act read with Sections 27a/27(b)(ii)/27A of the Drugs and Cosmetic Act (corresponding NDPS Case No.50/2025).

And

In the matter of: Tapan Roy

... petitioner

Mr. Krishnendu Bhattacharya,
Mr. Neel Chakraborty.
...for the State.

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

No one appears on behalf of the petitioner.

Learned Additional Public Prosecutor representing the State relies on the case diary and opposes the prayer for anticipatory bail. However, he submits that as per the report, there is no criminal antecedent or money trail or phone call record to implicate the present petitioner. The only material available against the present petitioner is the statement of a co-accused. Charge sheet has been submitted.

In view of the above, the petitioner has been able to rebut the restriction contained in Section 37 of the NDPS Act and considering the other materials available in the case dairy 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 a fortnight 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.)