

20.04.2026

Ct. No. 28

Sl. No.51

SG

[Allowed]

C. R. M. (A) 3087 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with NCB Crime No. 07/2025 under Sections 8(c) r/w 20(b)(ii)(c)/25/27(A) & 29 of NDPS Act vide NDPS Case No. 03/2025).

And

In Re: ***Sk Ahamed Ali***

... ... Petitioner

Mr. Subhojit Ghosh.

... ... for the petitioner

Mr. Arun Kumar Maiti (Mohanty),
Mr. R.R. Mohanty.

... ... for the State

1. Report filed on behalf of the NCB is taken on record.
2. The only allegation against the petitioner is that a SIM card registered in his name was found with a co-accused.
3. Upon instructions, learned counsel for the petitioner submits that at the time of shifting his residence, the phone and SIM card might have been lost.
4. Learned Counsel appearing on behalf of the NCB opposes the prayer for anticipatory bail. The prosecution case is that some co-accused were apprehended with 20.8 kgs of “Ganja” and a mobile phone containing a SIM card, which belonged to the present petitioner. Using such SIM card conversations were made by the co-accused between themselves.
5. Evidently, the SIM card of the petitioner was found with a co-accused. Therefore, he may not be responsible for any conversation made by the co-accused at the time when the same was admittedly in possession of the co-accused. The petitioner claims that during shifting

of his residence the SIM card might have been lost. It does not appear that there is any other material available in the case diary to implicate the present petitioner.

6. In view of the above, I am of the view that the petitioner has been able to rebut the restrictions contain 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 petitioner.

7. In the event of arrest, the petitioner 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 further conditions that the petitioner shall cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall meet the I.O as and when required.

8. Accordingly, the application for anticipatory bail is allowed.

9. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)