

28/01/2026
D/L – 5
Court No.28
S. Kundu
Allowed

C.R.M.(A) 4042 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Kharagpur P.S case no. 394 of 2025 dated 26/4/2025 under sections 20(b)(ii)(c)/25/29 of the NDPS Act.

In the matter of: Netai Singha

...Petitioner.

Mr. Soumyajit Das Mohapatra
Ms. Madhurai Sinha
Ms. Upasana Banerjee

...for the petitioner.

Ms. Faria Hossain
Ms. M.F.A Begg

...for the State.

1. Report filed on behalf of the State is taken on record.
2. Learned counsel appearing for the petitioner submits as follows. Apart from the statements of a co-accused, which is inadmissible in evidence, there is no other incriminating material available against the petitioner. Charge-sheet has already been submitted.
3. Learned counsel appearing for the State opposes the prayer for anticipatory bail. She submits that as per the statement of the co-accused, the petitioner and the probable owner of the vehicle had instructed the co-accused driver to transport the contraband. However, apart from the said statement, there are no other materials available against the petitioner. Phone number that was collected from the driver of the vehicle as belonging to the petitioner was tallied for any phone call

conversation with the principal accused, but none was found.

4. Considering the above and the fact that the only material available in the case diary against the petitioner is the statement of a co-accused, the petitioner has been able to rebut the restrictions contained in Section 37 of the NDPS Act and in view of the materials available in the case diary and the fact that charge-sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.
5. 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 not threaten or intimidate the witnesses. The petitioner shall surrender before the jurisdictional Court and pray for bail within four weeks from date and regularly attend the jurisdictional Court.
6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)