

09.02.2026
Sl. No.11
Ct. 28
NB

C.R.M (A) 4139 of 2025

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.503/2025 dated 29.03.2025 under Sections 21(c)/27A/25/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Sabibur Sk @ Md Sabib Sk ... petitioner

Md. Wasim Akram
...for the petitioner.

Mr. Ranabir Roy Chowdhury,
Mr. Anindya Sundar Chatterjee.
...for the State.

Learned counsel appearing on behalf of the petitioner submits that other than the statement of a co-accused, there are no incriminating materials available against the petitioner.

Learned counsel appearing on behalf of the State submits that the criminal antecedent that was pointed out on the last occasion has actually ended in an acquittal for the petitioner. As such, other than the statement of a co-accused, there are no other materials available against the petitioner.

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 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 attend the jurisdictional Court regularly.

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.)