20
28.10.2026
A.N.
Ct. No. 7
(REJECTED)

C.R.M. (A) No. 3915 of 2026

In Re: An application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Farakka Police Station Case No. 464 of 2025 dated November 30, 2025 under Sections 20(b) / 21(c) / 29 of the NDPS Act, 1985 and subsequently Chargesheeted under Sections 20(b) / 21(c) / 29 of the NDPS, 1985 now pending before the Court of the learned Judge, Special Court under NDPS Act cum Additional District Judge, 5th Court, Behrampore, Murshidabad being NDPS Case No. 217 of 2025:

-AND-

In the matter of:- **Hriday Saha @ Mintu**

….Petitioner

Mr. Sayan De

…for the petitioner.

Mr. Subrata Mukherjee
Mr. Narayan Debnath

…for the State

1. Memo of evidence filed by the learned advocate for the State is taken on record.
2. Learned advocate appearing for the petitioner submits that the prayer for anticipatory bail at the instance of the co-accused namely Abbas Sk. has been allowed on 2nd September, 2026 in CRM (A) 2531 of 2026. He submits that considering the parity, prayer for anticipatory bail of the present petitioner should be allowed.
3. Such submission of the learned advocate appearing for the petitioner is seriously opposed by the learned advocate representing the State. Learned advocate representing the State

produces the case diary and draws the attention of the Court to the CDR details and in support of his contention that the petitioner was in constant conversation with the persons who were in the truck and from whom the articles were seized.

4. He further submits that the charge sheet has been filed against the petitioner in respect of the Farakka Police Station Case No. 464 of 2025 dated 12th November, 2025 under the Narcotic Drugs and Psychotropic Substances Act, 1985. He further submits that the earlier application for the anticipatory bail at the instance of the petitioner also stood rejected by a coordinate bench of this Court on 2nd February, 2026.

5. After considering the CDR details and the criminal antecedent of the petitioner as reflected in the memo of evidence, this Court is of the view that the petitioner could not overcome the restrictions imposed under Section 37 of the NDPS Act. Though learned advocate appearing for the petitioner vehemently argues on the point of parity but after going through the order of the coordinate bench in CRM (A) 2531 of 2026 dated 2nd September, 2026, this Court finds that the petitioner therein i.e. Abbas Sk. could not be connected with the other accused as in the present case. For such reason, this Court is not inclined to accept the submission of the learned advocate appearing for the petitioner that the petitioner is entitled to anticipatory bail merely on the ground of parity.

6. For all the reasons stated as aforesaid, prayer for anticipatory bail of the petitioner is considered and **rejected**.

7. The case diary be returned to the learned advocate representing

the State.

8. Hence, **CRM (A) 3915 of 2026** is **disposed of**.

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

(Hiranmay Bhattacharyya, J.)