

AD 26
January 27, 2026
Ct. 28
SG

Allowed

CRM(A) 4357 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Berhampore P.S. Case No.1337 of 2025 dated 17.06.2025 under Sections 20(b)(ii)(C)/25/29 of the NDPS act.

And

In the matter of:

Sundora Bibi

... petitioner

Mr. Arnab Chatterjee
Mr. Avik Ghosh
Ms. Ankusha Ghosh

... for the petitioner

Mr. Avishek Sinha
Ms. Ratna Ghosh

... for the State

Learned counsel for the petitioner submits that other than the statements of the two co-accused, there is no other material available against the petitioner.

Learned counsel for the State opposes the prayer for anticipatory bail and refers to the FIR, the statements of witnesses and the seizure list. He submits that as per the statements of the two co-accused, the mother of the present petitioner used to sell contraband in the local area.

It appears that the seizure was specifically made from the two co-accused, who were arrested. The FIR states that the complaint was made against the said two co-accused, who were keeping contraband in the house.

Considering the above, the other materials available in the case diary and the fact that there is no other incriminating material available against the petitioner except the statements of the two co-accused, the petitioner has been able to rebut the restrictions contained in Section 37 of the NDPS Act and in view of the fact that a charge-sheet has been submitted, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on the further conditions that the petitioner shall surrender before the jurisdictional court within four weeks from this date and pray for bail, attend the jurisdictional court regularly and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

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

(Jay Sengupta, J.)