

12.03.2026
Court No.28
Item No. 11
tbsr
Allowed

CRM (A) 4373 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Raninagar** P.S. Case No.**0243 of 2025** dated **24.04.2025** under Sections **21(c)/29** of the NDPS Act, 1985.

And

In the matter of: **Masidul Saikh @ Masidul Sekh.**

....Petitioner.

Mr. Hamidur Rahaman
...for the petitioner.

Mr. Partha Pratim Das
Mr. Asraf Mandal
....for the State.

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits that the only material available against the petitioner that he was the owner of the vehicle/motor bike from which the contraband was allegedly recovered. However, he had sold the vehicle sometime ago to a shop.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he submits that there are no other materials available against the petitioner except for the fact that vehicle was registered in the name of the present petitioner. However, it appears that the petitioner had sold away his vehicle through a broker named Ataur Rahaman. According to the statement of the broker, the vehicle was purchased by one Abdul Sojib Mondal.

At this stage, the learned counsel appearing on behalf of the petitioner submits that the said Abdul Sojib Mondal appears to have been arrested and thereafter was granted bail by this Court.

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 other materials available in the case diary, 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/- 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 further condition that the petitioner shall cooperate with investigation, shall meet the I.O. once a fortnight till submission of report in final form, shall not threaten or intimidate witnesses, shall surrender before the learned jurisdictional Court within four weeks from this date and pray for bail and shall regularly attend the jurisdictional Court.

The application for anticipatory bail is, thus, allowed.

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.)