

09.01.2026
Serial no. 25
[G.S.D]

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

CRM (A) 6 of 2026

In re : An Application under Section **482** of the BNSS, 2023/under Section 438 of the Cr.P.C. in connection with **Dinhata Police Station Case No. 156 of 2025 dated 21.03.2025 u/s 21(c) of the NDPS Act, 1985 corresponding to NDPS Case No. 102 of 2025.**

-And-

In the matter of : Rahul Haque @ Sekh

... Petitioner(s)

Mr. H.S. Podder

... for the petitioner(s)

Mr. Ujjwal Luksom

Mr. Chattu Roy

... for the State-respondent(s)

Learned advocate for the petitioner submits that the petitioner is innocent of the charges and he has been implicated in connection with the instant case on the basis of statement of the co-accused.

It has been brought to the notice of this court that 105 gm of Yaba tablets were recovered from the co-accused who has been arrested and kept in custody.

Learned advocate for the State has produced the case diary wherefrom it reflects that the custodial accused

has stated that he purchased the contraband from the present petitioner.

However, there are no other materials so far as the present petitioner is concerned, as such, I am of the view that custodial detention of the present petitioner may not be warranted in the facts and circumstances of the present case.

Hence, the prayer for anticipatory bail of the petitioner is **Allowed**.

Accordingly, I direct that in the event of arrest, the petitioner be released on bail upon furnishing bond of Rs.20,000/-(Rupees Twenty Thousand only), with two sureties of Rs.10,000/- (Rupees Ten Thousand only) each, one of whom must be local, to the satisfaction of the arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

The learned trial court would be at liberty to impose any other conditions for ensuring appearance of the present petitioner in course of the trial. This order of anticipatory bail will remain in force for a period of eight weeks from date.

Accordingly, CRM(A) No. 6 of 2026 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)