

16.01.2026
Item no. 03.
Court No.3.
Rakib
(Allowed)

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM (A) 15 of 2026

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kotwali Police Station Case No. 286 of 2025 dated 19.03.2025 under Sections 20(b)(ii)(C)/25/29 of the NDPS Act.

And

In the matter of : Jiban Deb & Ors.

.....Petitioners.

Mr. Hillol Saha Podder

.....for the Petitioners.

Mr. Nilay Chakraborty, Ld. APP

Ms. Sukanya Adhikary

.....for the State.

Learned advocate appearing for the petitioners submits that they have been implicated in connection with the instant case on the basis of statement of witnesses. However, there has been no recovery in respect of raid being conducted at their residences.

Learned advocate for the State opposes the prayer for bail and submits that about 425 of kgs. of ganja were recovered and one witness has stated regarding the presence of these three accused persons being involved in the alleged offence.

Having considered that such a statement was recorded after a month from the time of recovery and there are no additional materials so substantiated in the seizure and the fact

that the charge-sheet has been submitted, I am of the view, that custodial detention of the petitioners may not be warranted. As such the prayer for anticipatory bail of the petitioners is **allowed**.

Accordingly, I direct that in the event of arrest, the petitioners be released on bail upon furnishing a bond of Rs.20,000/- (Rupees Twenty Thousand only) each, with two sureties of Rs. 10,000/- (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the investigating officer/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.

Accordingly, CRM (A) 15 of 2026 is **allowed**.

As the charge-sheet has already been submitted this order of anticipatory bail will remain in force for a period of eight weeks from date.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)