

19.02.2026
Item No.19
Ct.No.06
b.das
Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (A) 72 of 2026

In Re : An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sahebganj PS Case No.444 of 2025 dated 28.07.2025 under Sections 21(c)/29 of the NDPS Act.

And

In Re : **Saretulla Sekh @ Saretulya**

... Petitioner

Mr. Hillol Saha Podder

Ms. Mousumi Das

... for the Petitioner

Mr. Abhijit Sarkar

Mr. Subhasish Misra

... for the State

Heard learned counsels for the parties.

Learned counsel for the petitioner submits that the petitioner's name has transpired from the statement of the co accused and no contraband substance has been recovered from him.

Learned counsel for the State opposes the prayer.

In view of the fact that the petitioner's name has transpired from the statement of the co accused and no contraband substance has been recovered from him, this Court is inclined to hold that the petitioner has been able to rebut the statutory restriction under Section 37 of the NDPS Act and is entitled to anticipatory bail.

Accordingly, in the event of arrest, the petitioner Saretulla Sekh @ Saretulya be released on bail on furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of like amount each, to the satisfaction of the arresting officer and subject to provision under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

The petitioner shall appear before the jurisdictional Court and pray for regular bail within two weeks from date.

The application being CRM (A) 72 of 2026 is disposed of.

Case Diary be returned.

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

(Suvra Ghosh, J.)