

19.02.2026
Item No.22
Ct.No.06
b.das
Allowed

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

C.R.M. (A) 79 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 Kotwali PS Case No.210 of 2025 dated 27.02.2025 under Sections 20(b)(ii)(c)/25/29 of the NDPS Act.

And

In Re : **Bharat Debnath**

... Petitioner

Mr. Hillol Saha Podder

Ms. Mousumi Das

... for the Petitioner

Mr. Nilay Chakraborty

Mr. Kallol Nag

... for the State

Heard learned counsels for the parties.

The petitioner submits that no narcotic substance was recovered from the possession of the petitioner.

Learned counsel for the State opposes the prayer.

Narcotic substance of commercial quantity was recovered from one Shyamal Roy and also allegedly from the house of the petitioner. No document was however collected by the investigating officer to substantiate that the house belongs to the petitioner. No recovery has been made from the possession of the petitioner. Charge sheet has been submitted.

In view of the above, 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 Bharat Debnath 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) 79 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.)