

February 19, 2026

33 ARDR.  
**Allowed**

**IN THE HIGH COURT AT CALCUTTA  
CIRCUIT BENCH AT JALPAIGURI  
CRIMINAL MISCELLANEOUS JURISDICTION  
CRM (A) 110 of 2026**

In Re : An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Sitai** Police Station Case No. **35** of **2025** dated **15/2/2025** under Sections **20(b)(ii)(c)/29** of the NDPS Act.

And

In Re : **Mrinal Barman & ors.**

... Petitioners.

Adv. Jaydeep Kanta Bhowmik,  
Adv. Shubham Kumar,  
Adv. Priti Das,  
Adv. Dipa Das,

...for the petitioners.

Adv. Ujjwal Luksom,  
Adv. Chattu Roy,

... for the State

Learned counsel for the petitioners submits that the contraband substance was recovered from a vacant land. The land does not belong to the petitioners.

Learned counsel for the State opposes the prayer.

I have considered the material on record.

It is a fact that contraband substance of commercial quantity was recovered from a vacant land. Though the forwarding report says that the said land belonged to the father of the petitioners and is presently owned by the petitioners and has been mortgaged to one Raj Kumar Sarkar, there is no document to substantiate the same. It is not known how the Investigating officer recorded such title and mortgage without collecting any document in this regard. Charge sheet has been submitted. No recovery has been made from the possession of the petitioners. The petitioners have been able to rebut

the statutory restriction under Section 37 of the NDPS Act. They are entitled to anticipatory bail.

Accordingly, this Court directs that in the event of arrest, the petitioners namely Mrinal Barman, Tapan Barman @ Tapan Kumar Barman and Swapan Barman be released on bail on furnishing bond of Rs.20,000/-(Rupees twenty Thousand only) each with two sureties of like amount each, to the satisfaction of the arresting officer subject to conditions laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioners shall surrender before the jurisdictional Court and pray for regular bail within two weeks from date.

CRM (A) 110 of 2026 is, thus, 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.)**