

AD 17
March 25, 2026
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IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Appellate Side

CRM(A) 111 of 2026

An application for anticipatory bail 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: *Sushanta Roy*

... *petitioner*

Mr. Bipul Ranjan Bhattacharjee
Mr. Subhash Ch. Roy
Ms. Tithi Banik

... for the petitioner

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Subhasish Misra

... for the State

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits that other than the statement of a co-accused, there is no incriminating material available in the present petitioner. Charge sheet has been submitted.

Learned Additional Public Prosecutor represented the State opposes the prayer for anticipatory bail. However, he submits that as per the report, there are no criminal antecedents or phone call record or money trail to implicate the present petitioner.

In view of the above, the petitioner has been able to rebut the restriction contained in Section 37 of the NDPS Act and considering the other materials available in the case diary, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on the further conditions that the petitioner shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall attend the jurisdictional Court regularly. The petitioner shall not threaten or intimidate the witnesses.

The application for anticipatory bail is, thus, allowed.

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

(Jay Sengupta, J.)