

AD 17
March 23, 2026
Ct. 6
ssi

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Appellate Side

CRM(A) 126 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dhupguri P.S. Case No.290 of 2025 dated 31.07.2025 under Sections 21 (c)/25/29 of the NDPS Act.

And

In the matter of: *Ruma Saha Barman*

... *petitioner*

Mr. Bibek Tarafder
Mr. Abhijit Chanda
Mr. Faridul Islam

... for the petitioner

Mr. Nilay Chakraborty, Ld. APP
Mr. Dhiman Sil

... for the State

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is a lady with two small kids to take care of. She happens to be the owner of the vehicle in question. However, the said vehicle was driven by one Raju Das and the same was apprehended near the house of one Satyajit Roy who was the principal co-accused. Bottles of cough syrup were seized from the vehicle. But, the petitioner has no knowledge whatsoever about what was going on.

Learned counsel for the State relies on the case diary and the report and opposes the prayer for anticipatory bail. However, he submits that the principal accused who were found with the contraband were two others. But, as per the report, there is no criminal antecedent or money trail or phone call record of the lady petitioner to implicate her. At the same time, she happens to be the owner of the vehicle in question.

In view of the fact that there is no criminal antecedent or money trail or phone call record with the co-accused to implicate the petitioner lady and that although she is the registered owner of the vehicle, she is a female member of the household and the contraband was seized from the driver and others near the place of residence of one of the co-accused, the petitioner has been able to rebut the restriction contained in Section 37 of the NDPS Act.

Considering the above and the other materials available in the case diary, I do not think that custodial interrogation of the petitioner is required in this case and 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 cooperate with the investigation and shall not threaten or intimidate the witnesses. The petitioner shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date.

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.)