

19.03.2026
Sl. No.17
Ct. 06
NB

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction

C.R.M (A) 151 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kotwali PS Case No.29/2026 dated 18.01.2026 under Sections 21(b)/29 of the NDPS Act.

And

In the matter of: Shibui @ Sibui Ghosh ... petitioner

Mr. Sisir Kumar Roy
...for the petitioner.

Mr. Aditi Shankar Chakraborty,
Mr. Tapan Bhattacharjee.
...for the State.

Learned counsel appearing on behalf of the petitioner submits that other than the statement of a co-accused, which is not admissible in evidence, there are no other incriminating materials available against the present petitioner.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he submits that other than the statement of a co-accused, there is no other incriminating material available against the present petitioner. Charge sheet has been submitted.

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 materials available in the case diary and the fact that charge sheet has already been submitted, I am inclined to grant anticipatory bail to the present petitioner.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date and shall regularly attend the jurisdictional Court.

The application for anticipatory bail is, thus, disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)