

14.05.2026  
SL No.16  
Court No.5  
S.Gayen

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

**C.R.M.(A) 258 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. 262 of 2025 dated 15.11.2025 under Sections 21(c)/29 of the NDPS Act.

-And-

In the matter of: **Majumdar Miah**

...Petitioner

Mr. Subhasish Misra  
Mr. Satyajit Paul  
Mr. Rounak Ghosh

...for the Petitioner

1. This instant application has been filed with a prayer for anticipatory bail.
2. Learned counsel appearing on behalf of the petitioner submits that the police has arrested the accused, namely, Hemanto Barman and alleged to have seized 795 bottles (100 ml each) of Eskuf cough syrup. He submits that the name of the petitioner is included in the complaint on the basis of the statement made by the co-accused. He submits that nothing was recovered from his possession.
3. The Investigating Officer is present with the case diary and submitted the report. The said report be kept with the record. The Investigating Officer submits that the investigation has been completed and the chargesheet has been filed against the petitioner as well as the main accused person. The Investigating Officer submits that the petitioner could not be arrested because he is absconding since the date of lodging the FIR. The report

submitted by the Investigating Officer reveals that the Investigating Officer could not find any evidence with regard to the bank account which shows that there is not any transaction between the main accused and the petitioner. He further submits that due to unavailability of the phone number of the petitioner, the call details of the petitioner could not be traced out. He prays for rejection of the application for grant of anticipatory bail.

4. Heard the learned counsel for the petitioner and the Investigating Officer. Perused the case diary and the report submitted by the Investigating Officer. This Court finds that all the seizure has been made from the prime accused and the investigation has been completed and submitted chargesheet. The Investigating Officer in his report has categorically stated that no report could be collected to show that there is any transaction between the main accused and the petitioner. Considering the above, this Court *prima facie* finds that there is no such allegation against the petitioner that anything has been recovered from the possession of the petitioner to connect the petitioner in the instant case.
5. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of like amount of Rs. 10,000/- (Rupees Ten Thousand only) each, to the satisfaction of the arresting officer. The petitioner shall not leave the jurisdiction of the concerned police station without prior permission of the learned Trial Court, and also be subject to the conditions as laid down under Section

482(2) of BNSS, and on further condition that the petitioner shall appear on each and every date of hearing before the Trial Court.

6. Thus, the application for anticipatory bail being **C.R.M. (A) 258** of **2026** stands disposed of.
7. The case diary is returned to the Investigating Officer.

***(Krishna Rao, J.)***