

08.01.2026

Item No.15

Ct.No.3

dc.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

C.R.M. (A) 931 of 2025

In Re : An Application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Alipurduar Police Station Case No. 41 of 2025 dated 04.09.2025 under Sections 18(b)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Sujan Das and another**

... Petitioners.

Mr. Sourav Ganguly,
Mr. Bibek Tarafder,
Mr. Gopal Roy,
Ms. Rishita Chakraborty,
Mr. Bibhash Kumar Nandi

... For the Petitioners.

Mr. Nilay Chakraborty, APP,
Mr. Aniruddha Biswas

... For the State.

Learned advocate appearing for the petitioners submits that the petitioners have been falsely implicated in connection with the instant case on the basis of the accusations relating to cultivation of poppy saplings over 36 Bighas of land. Petitioners claim that they are not the owner of the land. The petitioners have been implicated only on the basis of the statement under Section 161 of the Code of Criminal Procedure.

Learned advocate appearing for the State opposes the prayer for anticipatory bail, but is unable to show any document connecting the present petitioners except the

statement of the local people. So far as the document relating to title of the property is concerned, according to the State, the same belongs to different set of individuals and not the petitioners. However, the cultivation, according to local information, was done by the present petitioners. Learned advocate for the State, on instructions from the investigating officer, submits that there are no antecedents of the present petitioners within the jurisdiction of Alipurduar Police Station.

Be that as it may, since the case is based solely on the statement of local people and there is nothing to connect the present petitioners with the land, I am of the opinion that custodial detention of the present petitioners may not be warranted in the facts and circumstances of the case. As such, the prayer for anticipatory bail of the petitioners is **allowed**.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.20,000/- each, with two sureties of Rs.10,000/- 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 Bharatiya Nagarik Suraksha Sanhita, 2023.

This order of anticipatory bail will remain in force for a period of six weeks from date.

The application for anticipatory bail, being CRM(A) 931 of 2025, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)