

13.01.2026
Item no. 18.
Court No.3.
Rakib
(Allowed)

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction**

CRM (A) 984 of 2025

In Re: An Application for Anticipatory Bail under Section 438 of the Code of Criminal Procedure, 1973/Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sahebganj Police Station Case No. 688 of 2024 dated 08.12.2024 under Sections 20(a)(i)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of : Mahabul Hossain & Anr.

.....Petitioners.

Mr. Dr. Arjun Chowdhury
Ms. Sunayana Parveen
Ms. Riya Agarwal
Mr. Mantu Mandal
Mr. Bappaditya Roy

.....for the Petitioners.

Mr. Kallol Acharjee
Mr. Chattu Roy

.....for the State.

Learned advocate appearing for the petitioners submits that he has instruction not to press the application for the petitioner no.1 namely, Mahabul Hossain who has already been arrested in connection with the instant case and has been subsequently released on bail.

So far as the petitioner no.2 namely, Mafijul Khandakar is concerned, learned advocate submits that there are vague accusations for petitioner no.2 cultivating the land and being implicated.

Learned advocate for the State submits that such accusations are on the basis of statements of the neighbours and the local people who have submitted that the petitioner no.2 was cultivating the land.

On a consideration of the materials appearing against the petitioner no.2, I am of the view that since no documentary evidence is available there has been no recovery from his residence, I am of the opinion that custodial detention of the petitioner no.2 may not be warranted in the facts and circumstances of the instant case. As such the prayer for anticipatory bail of the petitioner no.2 is **allowed**.

As such, I direct that in the event of arrest, the **petitioner no.2 namely, Mafijul Khandakar** be released on bail upon furnishing a bond of Rs.20,000/- (Rupees Twenty Thousand only), with two sureties of Rs. 10,000/- (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the investigating officer/arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

With the aforesaid observations CRM (A) 984 of 2025 is **allowed**.

This order of anticipatory bail will remain in force for a period of eight weeks as the charge-sheet has already submitted.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)