

AD 8
March 23, 2026
Ct. 6
SG

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction

CRM(A) 36 of 2026

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Dinhata P.S. Case No.601 of 2025 dated 14.12.2025 under Sections 21(c)/29 of the NDPS Act.

And

In the matter of: *Jahangir Hoque*

... *petitioner*

Mr. Sudip Guha
Ms. Ankita Nag

... for the petitioner

Mr. Ujjwal Luksom
Ms. Sukanya Adhikary

... for the State

Report filed by the State is taken on record.

Learned counsel for the petitioner submits that no incriminating material is available against the petitioner except the statement of a co-accused, which is inadmissible in evidence.

Learned counsel for the State opposes the prayer for anticipatory bail, relies on the case diary and the report, but submits that there is no criminal antecedent or money trail to implicate the petitioner. Even CDR or SDR analysis of phone calls is not available.

It appears that other than the statement of a co-accused there is hardly any other material available in the case diary against the petitioner as of now. Therefore, the petitioner has

been able to rebut the restrictions contained in Section 37 of the NDPS Act.

Considering the above and the other materials available in the case diary, 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, shall meet the investigating officer once a week till submission of report in final form, shall surrender before the jurisdictional court within four weeks from this date and pray for bail and shall not threaten or intimidate witnesses.

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.)