

AD 39
March 25, 2026
Ct. 6
SG

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

CRM(A) 214 of 2026

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Bhaktinagar P.S. Case No.322 of 2025 dated 11.04.2025 under Sections 21(c)/22(c)/25 and 29 of the NDPS Act.

And

In the matter of: *Dhaneshwar Lal Dass*

... *petitioner*

Ms. Radhika Agarwal
Mr. Dhiraj Lakhotia
Ms. Khushi Kundu

... for the petitioner

Mr. A.S. Chakraborty
Dr. Arjun Chowdhury

... for the State

Certified copy of an application filed by one Manish Sharma praying for release of the vehicle in question, as filed in Court, is taken on record. Copy of the same is handed over to learned counsel for the State.

Learned counsel for the petitioner submits that the petitioner is the owner of the vehicle in question bearing No. SK 01D 4515. He had leased out the vehicle to one Manish Sharma. After that, a contraband was seized from the vehicle. The driver and khalasi of the vehicle were arrested and are still in custody. Reliance is placed on a copy of indenture of lease dated 01.03.2024 and the application made by the lease-holder for return of the vehicle.

Learned counsel for the State opposes the prayer for anticipatory bail, relies on the statements of witnesses and the seizure list and submits that charge-sheet has been submitted.

In view of the copy of indenture of lease relied upon coupled with the application made by the said lease-holder for return of the vehicle in question, the petitioner has been able to rebut the restrictions contained in Section 37 of the NDPS Act and considering the 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 surrender before the jurisdictional court within four weeks from this date and pray for bail, shall attend the jurisdictional court regularly 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.)