

03.10.2025

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SR

Allowed

CRM (A) 3110 of 2025

In Re:- An application for Anticipatory Bail under Section 482 of the BNSS, 2023 in connection with Joynagar Police Station Case No.943 of 2024 dated 25.11.2024 under Sections 20(ii)(b)/21(c)/25/27/29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985;

And

In the matter of : **Robiul Gayen @ Rabiul Gayen**
.... **Petitioner.**

Mr. Sabir Ahmed
Mr. Abdul Aziz Mondal

...for the Petitioner.

Ms. Amita Gaur
Ms. Snigdha Saha

...for the State

1. Heard learned Advocates for the petitioners and for the State at length.
2. Perused the entire materials as placed before this Court including the materials as available in the case diary.
3. On careful perusal of the entire materials as placed before this Court, it reveals that it is the case of the prosecution that the seized contraband was recovered from the rented accommodation of the present accused petitioner.
4. Admittedly, the witnesses, who have given their statements under Section 180 of the BNSS supports the case of the prosecution. However, no material could be placed before this Court that the investigating officer has seized any document to substantiate *prima facie* that the said room was at all rented to the present accused petitioner by his landlord, namely, Raju Laskar.

5. Considering such discrepancy, this Court is, thus, inclined to allow the prayer for anticipatory bail, especially, when investigation has already been completed.
6. It is, thus, ordered that in the event of arrest, the present accused petitioner, namely **Robiul Gayen @ Rabiul Gayen** may find bail of Rs. 20,000/- with two registered sureties of Rs.10,000/- each, one of whom must be local, subject to the satisfaction of the learned Additional Sessions Judge, 4th Court, South 24-Parganas, Alipore on condition that he shall abide by the provisions of Section 482(2) of the BNSS.
7. It is further ordered that the present accused petitioner shall appear before the learned Trial Court on each and every date of substantive hearing unless is personal appearance is exempted by the learned Trial Court.
8. Accordingly, CRM (A) 3110 of 2025 is disposed of.
9. Urgent photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Partha Sarathi Sen, J.)