

CRM No.2394 of 2021
(via vide conference)

19.08.21
(S.R.)
Sl.289
Ct.30

In re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Raninagar** Police Station Case **No.162 of 2020** dated **13.04.2020** under Sections **21(c)/29** of the Narcotic Drugs and Psychotropic Substances Act;

And

In re: Sanjit Mondal @ Sanjit Mandal @ Sanjit Mondel
... petitioner.

Mr. Tapodip Gupta ... for the petitioner.

Mr. Ranabir Ray Chowdhury
Mr. Ashok Das
Mr. Pratick Bose ...for the State.

Heard the learned advocates appearing for the respective parties and considered the materials in the case diary.

It appears that there had been no recovery of contraband substance from the possession of the petitioner and his name has transpired on the basis of the statement of a co-accused person, before a police officer, which is inadmissible in evidence. In view thereof, we are of the opinion that the rigours of Section 37 of the NDPS Act are not attracted in the present case. It further appears that upon completion of investigation charge sheet has also been submitted. In the said conspectus, custodial interrogation of the petitioner is not warranted.

Accordingly, we direct that in the event of arrest, the petitioner, namely, **Sanjit Mondal @ Sanjit Mandal @ Sanjit Mondel** shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

Accordingly, the application for anticipatory bail, being CRM No.2394 of 2021, is disposed of.

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

(Subhasis Dasgupta, J.)

(Tapabrata Chakraborty, J.)