

05.09.2024
Court No.29
Item No. 33

Allowed
sg

CRM (A) 3098 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with Krishnaganj Police Station Case No. 87 of 2024 dated 11.03.2024 under Sections 20(b)(ii)(B)/29 of the NDPS Act, pending before the learned Judge, Special Court, under BDPS Act, Krishnagar, Nadia.

And

In Re: **Roni Mondal**

Petitioner

Mr. Prabir Majumdar

For the Petitioner

Ms. Faria Hossain

Ms. Trina Mitra

For the State

1. We have heard the learned counsel for the parties.
2. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of alleged offence and that the name of the petitioner transpired from the statement of a co-accused in police custody and also having regard to the fact that the alleged conversation between the petitioner and the accused in the CDR is required to be assessed at the appropriate stage of trial and also having regard to the fact that principal accused is on bail, we are of the view that custodial interrogation of the present petitioner is not necessary.
3. Accordingly, we direct that in the event of arrest the petitioner namely, **Roni Mondal**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Judge, Special Court, under BDPS Act,

Krishnagar, Nadia, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, subject to further condition that the petitioner shall not leave the jurisdiction of District Nadia without the permission of the learned Trial Court and the petitioner appear before the trial court on each and every date of hearing until further orders.

4. In the event the petitioner fails to appear before the trial court without any justifiable cause, the trial court shall be at liberty to cancel his bail in accordance with law without any further reference to this Court.
5. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
6. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Shampa Dutt (Paul), J.)