

## CRM (NDPS) 87 of 2025

**In re:** An application for bail under Section 439 of the Code of Criminal Procedure/Section 483 of the BNSS in connection with **Jalangi Police Station** Case No. **235 of 2023** dated **31.07.2023** under Sections **21(C)/29** of the NDPS Act.

- A n d -

**In the matter of : Tapas Mondal**

.... Petitioner.

Mr. Arnab Chatterjee,  
Mr. D. Biswas,  
Ms. P. Bose,

... For the Petitioner.

Ms. Rituparna De Ghosh,  
Mr. R. Tah,

... For the State.

### Order dictated by Arijit Banerjee, J.:

1. The petitioner was arrested on July 31, 2023. The charge sheet without the FSL report was filed on January 24, 2024. 180 days from the date of the petitioner's arrest expired on January 31, 2024. The petitioner applied for bail before the learned Trial Court on April 19, 2024. His bail prayer having been rejected, he is before us by way of this application.

2. Learned State Advocate tells us that the FSL report was filed along with supplementary charge sheet on August 31, 2024.

3. We, therefore, see that on the day petitioner prayed for bail before the learned Trial Court, the chemical report was still not on record. The charge sheet was an incomplete charge sheet going by the decision in case of Rakesh Sha-vs.-State of West Bengal, reported in **2023 SCC Online Cal 2463**. This case is squarely covered by the decision in the case of **Idul Mia-vs.-State of West Bengal**, reported in **2024 SCC Online Cal 9109**.

4. Hence, we are constrained to enlarge the petitioner on bail.

5. Accordingly, we direct that the petitioner, namely, **Tapas Mondal**, shall be released on bail upon furnishing a bond of Rs. 25,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Special Judge under the NDPS Act, Berhampore, Murshidabad subject to condition that he shall appear before the trial court on every date of hearing until further orders and shall not intimidate witnesses or tamper with evidence in any manner whatsoever and on further condition that the petitioner while on bail shall remain within the jurisdiction of the concerned police station and shall meet the I.C of the concerned police station once in a fortnight until further orders.
6. In the event the petitioner fails to adhere to any of the conditions stipulated above without justifiable cause, the trial court shall be at liberty to cancel the petitioner's bail in accordance with law without further reference to this court.
7. The application for bail is, accordingly, allowed.
8. All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

**( Apurba Sinha Ray, J. )**

**( Arijit Banerjee, J. )**