

18.02.2025  
Item no. 60.  
Court No.29.  
AB  
(Allowed)

**CRM (NDPS) 105 of 2025**

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Egra Police Station Case No.419 of 2024 Dated 26.06.2024 under Section 20(b)(ii)(c)/25/28/29 of the NDPS Act

And

**In the matter of : Bapi Mondal                      .....Petitioner.**

Mr. Amitava Karmakar  
Mr. A. K. Bhowmick .....for the Petitioner.

Mr. Suman De,  
Ms. Pushpita Saha .....for the State.

**Dictated by Arijit Banerjee, J.**

1. The petitioner says that there was no recovery of contraband items from him. His implication is solely on the basis of statement made by a co-accused person. He is in custody for 114 days. Charge sheet has been submitted upon completion of investigation. He prays for bail.
2. Learned State Advocate, while opposing the prayer for bail, in his usual fairness, admits that the petitioner has been implicated solely on the basis of statement made by a co-accused person. To our query as to whether there is any material like CDRs or money trail connecting the petitioner with the alleged crime, learned Advocate fairly says that there is no such material.
3. In view of the aforesaid, we are of the opinion that the petitioner has been able to tide over the restrictions in Section 37 of the NDPS Act.

4. Hence, we are inclined to grant bail to the petitioner.
5. Accordingly, we direct that the petitioner, namely **BAPI MONDAL** shall be released on bail upon furnishing a bond of Rs.25,000/-, with two sureties of Rs.12,500/-each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act at Tamluk, and on further conditions that he shall not leave the jurisdiction of the concerned Police Station and shall report to the Inspector-in-Charge of the concerned Police Station once in a week until further orders.
6. The petitioner shall appear before the trial court on every date of hearing until further orders and shall not intimidate the witnesses and/or tamper with evidence and/or commit any cognizable offence in any manner whatsoever.
7. 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.
8. The application for bail is, accordingly, allowed.
9. 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.)**

