

akb
Sl. 39
Ct.29
Allowed

In re: An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 filed in connection with Case No. N -
19 of 2009, corresponding to Ashokenagar Police Station Case No. 23
of 2009 dated 19/01/2009 under Section 21 of the NDPS Act, 1985.

Mr. Parthapratim Das
Mr. Monajit Chakraborti
Ms. Yogita Jaiswal ...for the petitioner.

Mr. Rnabir Roy Chowdhury
M. Dipankar Paramank ...for the State.

In the present case intermediate quantity of the contrabanned substances was allegedly seized from the possession of the petitioner and the learned Counsel appearing on behalf of the petitioner submits that the petitioner has no criminal antecedent.

Petitioner in this context submits that the other co-accused person in the present case, namely, Dhrubajyoti Ghosh @ Gour has been granted bail by a Division Bench of this Court, against whom the same allegation was levelled that he was absconding for 14 years. Petitioner submits that he is almost on the same footing and he further submits that though the investigation has ended in charge sheet but one co-accused is still absconding and for which there is no likelihood of early conclusion of the trial. Accordingly he prays for bail in any terms and conditions.

Learned Counsel appearing on behalf of the State submits that one co-accused is still absconding and if he is released on bail there is

every likelihood that the petitioner will abscond again.

In reply, learned Counsel appearing on behalf of the petitioner submits that on earlier occasion he was not aware of the terms and conditions of the interim bail and for which he could not comply but if this time he is released on bail, he will go by the terms and conditions imposed in the bail order.

Having considered the facts and circumstances of the case and that the quantity of contrabanded substances allegedly seized from the possession of the petitioner is of intermediate quantity and that the petitioner has no criminal antecedent and that the petitioner is almost on the same footing with that of the petitioner of CRM (NDPS) 1975 of 2024, where the Division Bench of this Court has granted bail, I find that the prayer for bail made by the petitioner deserves to be allowed.

In such view of the matter, petitioner, **Khokon Mondal @ Mona** shall be enlarged on bail upon furnishing a bond of Rs. 20,000/- with two registered sureties of like amount each, one of whom must be local, subject to the satisfaction of learned CJM, Brasat, North 24-Parganas.

It is further ordered that the accused shall not mis-use the liberty granted by this Court and he shall not tamper with any evidence orally or documentary during the trial. He shall not absent himself on any day during trial and shall not commit any offence while on bail. He shall give his mobile phone number to the local police station and shall not change it without prior permission of the Trial Court and he shall not in any manner try to delay the trial.

Be it mentioned, that anything said herein shall not be construed as an expression of opinion on the merit of the case.

The application for bail being **CRM (NDPS) 351 of 2025** is,

accordingly, disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)