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**C.R.M. (NDPS) 374 of 2025**

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with NDPS case no. 75 of 2024 arising out of Palashipara Police Station case no. 438 of 2024 dated 2.9.2024 under Section 21(C) of the NDPS Act, 1985 and charge sheet has been submitted for commission of offence punishable under Section 21(C)/29 of the NDPS Act.

And

In the matter of : **Mangal Samad & Anr.**

**.... Petitioners**

Mr. Arnab Chatterjee  
Ms. Dhanasree Biswas  
Ms. Poulami Bose

...for the Petitioners

Mr. Bibhaswan Bhattacharya  
Ms. Jonaki Saha

...for the State

It is submitted on behalf of the petitioners that the petitioners are in custody for about eight months and the charge-sheet has already been submitted in the present case. Their learned counsel further submits that nothing was recovered from petitioners' possession and they have been implicated solely on the basis of the statement made by the principal accused.

He further submits that another accused namely, Samaul Saikh @ Samaul Seikh who is almost on the same footing, has already obtained bail from this Court in CRM (NDPS) 280 of 2025. He further submits that considering the facts and circumstances of the case, they may be released on bail on any terms and conditions.

Learned counsel for the State opposes the prayer for bail. However, in his usual fairness, he submits that though nothing was recovered from their possession but during

investigation, their names transpired from the statement of other witnesses recorded under Section 161 of the Code of Criminal Procedure. However, he did not deny that present petitioners are almost on the same footing with the said co-accused who is all bail.

Having considered the submissions made on behalf of both the parties and that nothing was recovered from the possession of the petitioners and that the other co-accused person namely, Samaul Saikh @ Samaul Seikh who is almost on the same footing and has already been granted bail by this Court and that the investigation has already been culminated into a charge-sheet and considering all these, I find that the rigour of Section 37 of the NDPS Act may not attract in the present case in respect of the present petitioners and as such, the prayer for bail is allowed.

Accordingly, the petitioners namely, **Mangal Samad and Sunil Kumar Samad** shall be released on bail upon furnishing a bond of Rs. 20,000/- each with two registered sureties of Rs. 10000/- each, of which one must be local, subject to the satisfaction of the learned Chief Judicial Magistrate, Krishnanagar and also on condition that the accused persons shall not mis-use the liberty granted by this Court and they shall not tamper with any evidence orally or documentary during the trial. they shall not absent themselves on any day during trial and shall not commit any offence while on bail. They shall give their mobile phone numbers to the local police station and shall not change it without prior permission of the trial court and they shall not

in any manner try to delay the trial. The petitioners shall not leave the jurisdiction of the District of Nadia without taking leave from the court below and shall report to the Officer-in-charge, Palashipara Police Station once in a week until further order. The court below will be at liberty to cancel the bail in the event of violation of any of the conditions without making any reference to this court.

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

Accordingly, CRM (NDPS) 374 of 2025 is 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.)**