

21.04.2025
Court No.28
Item No.19
ssi

CRM (A) 1069 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with **Hogolberia** P.S. Case No.**227 of 2025** dated **12.09.2024** under Sections **20 (b) (ii) (c)/25/29** of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: **Minarul Mondal**

....Applicant/Petitioner.

Mr. Dipanjan Chatterjee
Mr. Prabir Majumder
Mr. Shehansu Majumder
Ms. Rimpa Adhikari

...for the petitioner.

Mr. Jaydeep Biswas
Ms. Sreetama Das

...for the State.

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the owner of the vehicle in question which was apprehended with some alleged contraband. The driver of the vehicle was the main culprit/driver. The present petitioner was totally unaware of the place where his driver was taking his vehicle. He has no criminal antecedents. Charge sheet has already been submitted.

Learned counsel appearing on behalf of the State relies on the report and the case diary and opposes the prayer for anticipatory bail. He submits that afterall, the petitioner is the registered owner of the vehicle in question. There is, however, no other material appearing against him. In fact, the report shows that the petitioner had no criminal antecedents.

In view of the fact that there is no other material available in the case diary against the petitioner except for the fact that he was the registered owner of the vehicle and the fact that another person was apprehended with the alleged contraband in the said vehicle, the petitioner has been able to rebut the restrictions contained in Section 37 of the NDPS Act.

In view thereof, the prayer for anticipatory bail is allowed.

In the event of arrest, the petitioner 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 Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further conditions that the petitioner shall appear before the learned trial Court and pray for regular bail within four weeks from this date.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)