

20.05.2025

Sl. no. 67

Ct. No. 29

P.M.

(Allowed)

C.R.M. (NDPS) 430 OF 2025

In Re : An application for bail under Section 439 of the Code of Criminal Procedure, 1973 corresponding to Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with NDPS Case No. 71 of 2023 arising out of Hogaiberia Police Station Case No. 221 of 2023 dated 26.09.2023 under Sections 20(c)/29 of the NDPS Act.

And

In the matter of : **Rajesh Mondal**

.... Petitioner

Mr. Soumojit Das Mahapatra,
Mr. Abdul Aziz Mondal

.... For the petitioner

Mr. Ranabir Roy Chowdhury,
Mr. Rajesh Jana

... for the State

It is submitted on behalf of the petitioner that he is in custody since 24th June, 2024. The narcotic substance was recovered from a vehicle which was driven by co-accused Tinku Majhi who have been granted bail by the court and the name of the present petitioner transpired from the co-accused statement. Petitioner has been arrested alleging that the petitioner is the owner of the vehicle wherefrom the contraband substance was seized. However nothing was recovered from the possession of the present petitioner. Considering the said facts and circumstances of this case the petitioner may be enlarged on bail on any terms and conditions.

Learned counsel appearing on behalf of the State in his usual fairness submits that the principal accused Tinku Majhi has already been obtained bail and the present petitioner is in custody for about eleven months and his name transpired as owner of the vehicle, from where contraband substance was seized and as such he has not seriously opposed the bail prayer.

Having considered the submissions made on behalf of both the parties and considering the facts that the principal accused is already on bail and that investigation has already been ended in charge sheet and there is hardly any chance of early disposal of the case and also considering the fact the no fruitful purpose could be achieved by detaining him any further, for which, learned counsel for the state did not raise serious objection, the prayer for bail made by the petitioner is allowed.

The petitioner namely **Rajesh Mondal** shall be released on bail upon furnishing a Bond of Rs. 20,000/- with two registered sureties of Rs. 10,000/- each, of which one must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia and also on condition that the accused person 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 numbers 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. Petitioner shall not leave the geographical limit of Nadia without leave of the trial Court and also on condition that he will meet the Officer-in-charge, Hogalberia P.S. once in a week till 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) 430 of 2025 stands disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)