

17.06.2025
22
SB
Allowed

C.R.M. (NDPS) 472 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. 32 of 2024 arising out of NCB Crime no. 03/NCB/Kol/2024 dated 6.3.2024 under Section 8(c) read with Section 20(b)(ii)(c) of the NDPS Act, 1985.

And

In the matter of : **Manas Mondal**

.... Petitioner

Mr. Avijit Ganguly

...for the Petitioner

Mr. Anil Kumar Gupta

Mr. Amarendra Chakraborty

...for the NCB/Union of India

It is submitted on behalf of the petitioner that no narcotic substance was recovered from the possession of the present petitioner and he has been arrested on the basis of the statement of the co-accused. He further submits that 21 kgs. of Ganja were allegedly recovered from the possession of petitioner and there are five accused persons out of which, three accused persons are already on bail. He further submits that his prayer for anticipatory bail was rejected by this court on 12th February, 2025 and thereafter, in compliance of the order of this court, he surrendered before the Trial court on 19th February, 2025 and since then he is in custody.

He further submits that he is in no way connected with the alleged offence and as such, he may be released on bail on any terms and conditions.

Learned counsel for the NCB raised objection contending that phone call details report collected during investigation, shows that the petitioner had made repeated telephonic

conversation with the principal accused person from whom the recovery was made and as such, he has a direct involvement with the alleged occurrence and as such, he is not entitled to be released on bail.

Having considered the submissions made on behalf of both the parties and the materials collected during investigation it appears that the investigating agency has collected only phone call details but it appears that during investigation, the transcription of phone call details have not been collected. Accordingly, the CDR collected during investigation may rise suspicion but in the absence of transcription of such CDR, such suspicion cannot be said to be grave suspicion in order to attract the rigour of Section 37 of the NDPS Act.

Having considered the facts and circumstances of the case, the prayer for bail is allowed.

Accordingly, the petitioner namely, **Manas Mondal** shall be released on bail upon furnishing a bond of Rs. 20,000/- 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, 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 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. The petitioner shall not leave the geographical limit of District of Nadia without taking leave from the court below and shall meet the Investigating Officer, Krishnaganj 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) 472 of 2025 is disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)