

07.05.2025
Court No.28
Item No.25
tbsr
Rejected

CRM (A) 1492 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Hogalberia** P.S. Case No.**321 of 2024** dated **25.12.2024** under Sections **21(c)/29** of the NDPS Act.

And

In the matter of: **Md. Dasharath Mondal @ Dasarath Mondal**
....Petitioner.

Mr. Asraf Mandal
...for the petitioner.

Mr. Ranadeb Sengupta
Ms. C. Dutta
.....for the State.

Copy of an order on acquittal as filed on behalf of the petitioner is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. There is no other material available against the petitioner except for a statement of a co-accused, which is inadmissible in evidence. In an earlier false case instituted against the petitioner being Hogolberia P.S. case no. 138 dated 19.06.2014, he was acquitted.

Learned counsel appearing on behalf of the State files a report, which is taken on record and submits as follows. Besides the statement of a co-accused there are other incriminating materials in the case diary. That apart, the petitioner has criminal antecedents being Hogalberia P.S. Case No. 37 dated 05.03.2024 and Murutia P.S. Case No. 56 dated 14.05.2011.

Considering the materials available in the case diary, the criminal antecedents of the present petitioner and the restrictions contained in Section 37 of the NDPS, I am not inclined to grant anticipatory bail.

Accordingly, the application for anticipatory bail is rejected.

(Jay Sengupta, J.)