

07/05/2025

D/L 26
Ct. No.28
S.Kundu
Rejected

C.R.M.(A) 1494 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with the NDPS case no. 77 of 2024 arising out of Jalangi police station case no. 299 of 2024 dated 28.8.2024 under Sections 21(c) /25/29 of the NDPS Act.

In the matter of: Kaushar Mondal @ Koucher Mondal
... Petitioner

Mr. T. Gupta

...for the petitioner.

Mr. Bibhashwar Bhattacharyya

Ms. Ayana Dey

...for the State.

1. Learned counsel appearing for the petitioner submits that there is nothing against the petitioner except for the statement of the co-accused, which is inadmissible in evidence. Charge-sheet has been submitted.
2. Learned counsel appearing for the State relies on the case diary and submits as follows. The co-accused stated that the petitioner was moving in another car ahead of the car from where the contraband was seized. While second car was apprehended, the first one got away and the petitioner fled away in the other car. The petitioner happens to be the registered owner of the vehicle from where the contraband was seized. Warrant of arrest has been issued against the petitioner.
3. In view of the incriminating materials available in the case diary and considering the restriction contained in

Section 37 of the NDPS Act, I am not inclined to grant anticipatory bail to the petitioner.

4. Accordingly, the application for anticipatory bail is rejected.
5. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)