

13.05.2025.
43.
Ct. No. 28.
PRITAM
[ALLOWED]

C. R. M. (A) 1520 of 2025

In Re: An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Belda** Police Station Case No. **84** of **2024** dated **11.04.2024** under Sections **20(b)(ii)(C)/25/29** of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re: **Sahabuddin Mondal.**

... .. petitioner.

Ms. Barnali Saha,
Mr. Sankha Subhra Mukherjee.

.... for the petitioner.

Mr. Ranobir Roy Chowdhury,
Mr. Raju Mondal.

.... for the State.

1. Leave is granted to file supplementary affidavit. The same is taken on record.
2. Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner as he was not named in the FIR. He was implicated in the charge sheet as he was the registered owner of the vehicle from where the alleged contraband was seized. While the date of occurrence was April 11, 2024, the petitioner had transferred the vehicle by executing relevant documents being Form Nos.29 and 30 of the Motor Vehicles Act and obtaining signature of the transferee, namely, Julfikar Mondol on the same in February, 2024.
3. It appears that the said Julfikar Mondol is an accused in this case.

4. In view of the fact that the only material available against the petitioner is that the petitioner was the registered owner of the vehicle in question and in view of copies of documents submitted by him, including Form Nos.29 and 30 of the Motor Vehicles Act, containing signature of a transferee of the car, I am of the view that the petitioner has been able to rebut the restrictions contained under Section 37 of the NDPS Act. Therefore, I am inclined to grant anticipatory bail to the present petitioner.

5. Accordingly, I direct that in the event of arrest, the petitioners viz., **Sahabuddin Mondal** be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the Arresting Officer and also subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioner shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and the petitioner shall attend the court proceedings and shall appear before the learned trial court and obtain bail within five weeks from this order.

6. The State, however, shall be at liberty to cause further investigation into the alleged offence in view that copies of documents annexed by the petitioner in the supplementary affidavit.

7. The application for anticipatory bail being **CRM (A) 1520 of 2025** is, thus, disposed of.

(Jay Sengupta, J.)