

17.07.2025

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Allowed

C.R.M. (NDPS) 632 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. 76 of 2024 arising out of Kaliganj Police Station case no. 759 of 2024 dated 3.9.2024 under Sections 21(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Mongal Samad @ Mangal Samad & Anr.**
.... Petitioners

Mr. Tapodip Gupta
Mr. Suman Bhanja

...for the Petitioner

Mr. Subhamay Bhattacharya
Mr. Arup Sarkar

...for the State

Petitioners' contention is that nothing was recovered from the possession of the present petitioners and they are in custody for about 4 months and 11 days and they were shown arrested in connection with the present case while they were in custody in connection with Palashipara Police Station case no. 438 of 2024. Petitioner's counsel further submits that this court has already granted bail to them in the said case in CRM 374 of 2025 as in that case also nothing was recovered from the possession of the present petitioners. He further submits that they have been falsely implicated in cases one after another and as such, they may be released on bail on any terms and conditions.

Learned counsel for the State opposed the bail prayer but in her usual fairness, submits that nothing was recovered from the possession of the present petitioners during

investigation and their names transpired from the statement of the co-accused as appearing in the charge-sheet.

Having considered the submissions made on behalf of both the parties. I find that the rigour of Section 37 of the NDPS Act may not attract in respect of the present petitioners and as such, the prayer for bail made by the petitioners is allowed.

Accordingly, the petitioner namely, **Mongal Samad @ Mangal Samad and Sunil Kumar Samad** shall be released on bail upon furnishing a bond of Rs. 20,000/- each 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 and also on condition that the accused persons shall not mis-use the liberty granted by this Court and they shall not tamper with any evidence orally or documentary during the trial. They shall not absent themselves on any day during trial and shall not commit any offence while on bail. They shall give their mobile phone numbers to the local police station and shall not change it without prior permission of the trial court and they shall not in any manner try to delay the trial. The petitioners shall not leave the geographical limit of district of Nadia without taking leave from the court below and shall report to the Inspector-in-charge, Kaliganj 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) 632 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.)