

27.08.2025
Ct. No.25
Sl.No.7
Mujahid

C.R.M. (A) 2156 of 2025

In Re: An application for Anticipatory Bail under Section 482 of the BNSS, 2023 in connection with Kumarganj P.S. Case No.105 of 2025 dated 17.03.2025 under Sections 21(c)/22(c)/23(c)/27A of the NDPS Act, 1985.

And

In the matter of: **Julfikar @ Julfikar Mondal**

....Petitioner.

Mr. Kaushik Choudhury,
Mr. Rakesh Jana

...for the petitioner

Mr. Ranadeb Sengupta,
Mr. Atanu Ghosh

...for the State

1. Learned counsel for the State has placed on record the English translated copy of the statement of accused recorded by the police. Learned counsel has fairly submitted that the name of the present petitioner does not appear in the statement of the accused. However, he submits that his name was mentioned in the compliant being filed by Inspector Het Ram, BSF. Learned counsel submits that there are no antecedents of this petitioner nor any recovery had been effected.

2. Perusal of the record indicates that name of the petitioner was mentioned in the complaint filed by Inspector Het Ram, BSF. However, the recovery was effected only from accused Suman @ Ikbāl Ahemad Chaudhary, even petitioner was not present at the time of the recovery. Admittedly, there was no

other evidence against the petitioner. In the circumstances, the rigour of Section 37 will not be applicable.

3. In the facts and circumstances, let the petitioner be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only), with two sureties of like amount each, one of whom must be local to the satisfaction of the investigating officer/arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the BNSS, 2023.

4. The application for anticipatory bail is, thus, allowed.

5. All parties shall act on the basis of the server copy of this order.

(Dinesh Kumar Sharma, J.)