

11.07.2025
SL.32
Ct.No.28
NB

CRM (A) 2179 of 2025

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sagarpara P.S. Case No.475 of 2024 dated 01.12.2024 under Sections 21(c)/29 of the Narcotic Drugs & Psychotropic Substances Act, 1985 pending before the learned Judge, Special Court under the NDPS Act, Berhampore, Murshidabad.

And

In the matter of : Montu Mondal ...petitioner

Ms. Shabana Hasin,
Mr. Aritra Kumar Thokdar.
...for the petitioner.

Ms. Sonal Das,
Mr. Dattatreya Dutta.
...for the State.

Heard the learned counsels for the parties.

Perused the case diary.

Considering the fact that the only material available in the case diary against the petitioner is the statement of a co-accused which is not admissible in evidence, he has been able to rebut the restriction contained in Section 37 of the NDPS Act.

In view of the same and as the charge sheet has already been submitted and the similarly circumstanced co-accused was granted anticipatory bail on 3rd July, 2025 in *CRM (A) 1921 of 2025*, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two

sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall attend the Special Court regularly and shall surrender before the Special Court within four weeks and pray for bail and the petitioner shall not threaten or intimidate witnesses.

The application for anticipatory bail being **CRM (A) 2179 of 2025** is, thus, allowed.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)