

24.09.2025
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Allowed

C.R.M. (NDPS) 1187 of 2025

In Re:- An application for Bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Special case no. 07 of 2023 arising out of NCB Crime no. 17/NCB/KOL/2023 under Sections 20(b)(ii)(c)/29 of the NDPS Act, 1985.

And

In the matter of : **Bandhan Mondal @ Totan Mondal**
.... Petitioner

Mr. Soubhik Mitter
Mr. Liton Moitra
Ms. Rajnandini Das
Mr. Chitrak Biswas ...for the Petitioner

Mr. Kalyan Kumar Chakraborty
Mr. Rishav Kumar Thakur ...for the NCB

Supplementary affidavit filed by the petitioner is taken on record.

Learned counsel for the petitioner submits that nothing was recovered from the possession of the present petitioner and his name transpired from the co-accused statement as the owner of the vehicle, which was allegedly carrying the contraband substance. He further submits that the prosecution proposes to examine seven witnesses out of which, they could examine so far only one witness and he is in custody since 22.8.2023 i.e. for about two years and one month. He further submits that the other co-accused persons namely, Sanjib Mondal @ Bhagirath Mondal and Ram Prasad Dhibar @ Ramprasad Dhibar have been granted bail by this court on the touchstone of Article 21 and the present petitioner is on better footing with that of the co-accused and

as such, he may be released on bail on any terms and conditions.

Learned counsel for the NCB opposed the bail prayer contending that the petitioner is the owner of the vehicle which used to transport plain tin sheet from Rampurhat to Raipur, Chattisgarh but while return this vehicle used to carry ganja and thereby earned Rs. 20,000/--Rs. 25,000/- for every trip, knowing it fully well that such transportation of Ganja is illegal and thereby, he allowed his vehicle to be used for inter-state drug trafficking to achieve easy enrichment.

Having considered the submissions made on behalf of both the parties and also considering the period of incarceration suffered by the petitioner and that there is hardly any chance of early conclusion of trial, the prayer for bail made by the petitioner is allowed only on the touchstone of Article 21 of the constitution of India.

Accordingly, the petitioner namely, **Bandhan Mondal @ Totan Mondal** shall be released on bail upon furnishing a bond of Rs. 20,000/- with two registered sureties of Rs. 10000/- each, of which one must be local, subject to the satisfaction of the learned Chief Judicial Magistrate, Purba Bardhaman and also on condition that the accused person shall not mis-use the liberty granted by this Court and he shall not tamper with any evidence orally or documentary during the trial. He shall not absent himself on any day during trial and shall not commit any offence while on bail. He shall give his mobile phone number to the local police station

and shall not change it without prior permission of the trial court and he shall not in any manner try to delay the trial. The petitioner shall not leave the geographical limit of district of Purba Bardhaman without taking leave from the court below and shall report to the O.C./I.C., Purba Bardhaman 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) 1187 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.)