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December 1, 2025
Ct. 28
SG

Allowed

CRM(A) 3555 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tapan Police Station Case No.150 of 2025 dated 08.03.2025 under Sections 21(c)/22(c)/23(c)/27A of the NDPS Act, 1985.

And

In the matter of:

Premchand Mondal and another
... petitioners

Mr. Kaushik Choudhury
... for the petitioners

Mr. Suman De
Ms. Rajnandini Das
... for the State

Report filed by the State is taken on record.

Learned counsel for the petitioners submits that other than the statement of a co-accused there is no material available against the present petitioners. The one who was arrested was the son of the petitioner No.1 and the brother of the petitioner No.2.

Learned counsel for the State opposes the prayer for anticipatory bail, but submits that as per the report there is no money transaction. There is no criminal antecedent of the present petitioners.

Considering the above, the fact that the only material available against the present petitioners is the statement of a co-accused, they have been able to rebut the restrictions contained in Section 37 of the NDPS Act and in view of the

other materials available in the case diary and the fact that charge-sheet has been submitted, I am inclined to grant anticipatory bail to the petitioners.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on the further conditions that the petitioners shall surrender before the jurisdictional court and pray for bail within four weeks from this date and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)