

AD 63
November 25, 2025
Ct. 28
SG

Allowed

CRM(A) 3625 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Jalangi Police Station Case No. of 205 of 2025 dated 21.04.2025 under Sections 21(C)/29 of the NDPS Act.

And

In the matter of:

Jinarul Mondal @ Shiltu Mandal and another
... petitioners

Mr. Arnab Chatterjee
Mr. Avik Ghosh
Ms. Ankusha Ghosh

... for the petitioners

Ms. Subhasree Patel
Mr. Mainak Gupta

... for the State

Report filed by the State is taken on record.

Learned counsel for the petitioners submits that the only material available against the petitioners is a statement of a co-accused, which is inadmissible in evidence. The principal accused was granted bail for violation of the provisions under Article 22(2) of the Constitution of India.

Learned counsel for the State opposes the prayer for anticipatory bail. However, she submits that as per the report, the criminal antecedent that the petitioners have do not pertain to the NDPS Act. There was no phone call records or money trail that would incriminate the present petitioners.

In view of the fact that the only material available against the 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 considering 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 (Jinarul Mondal @ Shiltu Mandal and Aminul Mandal @ Lalan Mandal) 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.)