

09.12.2025
Sl. No.19&20
Ct. 28
NB

C.R.M. (A) 3694 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 Patiram PS Case No.58/2025 dated 16.03.2025 under Sections 21(b)/22(b)/23(b)/27A of the Narcotic Drugs and Psychotropic Substances Act (corresponding NDPS Case No.30 of 2025).

With

C.R.M. (A) 4061 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 Patiram PS Case No.115/2025 dated 09.05.2025 under Sections 21(c)/22(c)/23(c)/27A of the Narcotic Drugs and Psychotropic Substances Act (corresponding NDPS Case No.30 of 2025).

And

In the matter of:- Rafikul Mondal @ Rafikulpetitioner

And

In the matter of:- Rafikul Mondal ...petitioner

Mr. Kaushik Choudhury
....for the petitioner.

Mr. Jaydeep Biswas,
Ms. Suruchi Saha.
...for the State in CRM(A) 3694/2025.

Mr. Joydeep Roy,
Ms. Baishakhi Chatterjee.
...for the State in CRM(A) 4061/2025.

In Re:-

CRM (A) 3694 of 2025

Learned counsel appearing on behalf of the petitioner submits that other than the statement of a co-accused, there is no

other incriminating material available against the present petitioner.

Learned counsel appearing on behalf of the State relies on the case diary and strongly opposes the prayer for anticipatory bail. He submits that some other accused were caught in the act of throwing gunny bags beyond the Bangladesh Border. They were apprehended with the contraband. Some others fled away and the petitioner was one of them. There is a criminal antecedent against the petitioner related to the provisions under the NDPS Act.

Considering the above, the other incriminating materials available in the case diary and the restriction contained in Section 37 of the NDPS Act, I do not consider this to be a fit case for granting anticipatory bail to the present petitioner.

The application for anticipatory bail is, thus, rejected.

In Re:-

CRM (A) 4061 of 2025

Learned counsel appearing on behalf of the petitioner submits that other than the statement of a co-accused, there is no other incriminating material available against the present petitioner.

Learned counsel appearing on behalf of the State submits that other than the materials available in the case diary, there is a criminal antecedent of the petitioner involving the provisions under the NDPS Act.

Considering the incriminating materials available in the case diary, the criminal antecedent of the petitioner involving offences

under the NDPS Act and the restriction contained in Section 37 of the NDPS Act, I do not consider this to be a fit case for granting anticipatory bail to the present petitioner.

The application for anticipatory bail is, thus, rejected.

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.)