

19.12.2025
Court No.28
Item No. 19
tbsr
rejected

CRM (A) 3730 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Patiram** P.S. Case No. **63 of 2025** dated **18.03.2025** under Sections **21(c)/22(c)/23(c)/27A** of the NDPS Act.

And

In the matter of : Chhaddam Mondal @ Saddam

....Petitioner.

Ms. Busra Khatun
....for the petitioner.

Mr. Bibaswan Bhattacharya
Ms. Debolina Das
.....for the State.

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits that other than the statements of a co-accused, there is no other incriminating material available against the present petitioner. Proclamation was illegally issued as the mandatory 30 days period was not fulfilled.

Learned counsel appearing on behalf of the State relies on the case diary, the report and submits as follows. Although earlier, a report dated 30.11.2025 was filed, mentioning that no telephonic or other communication had been established between the present petitioner and the other co-accused, it appears from the fresh report that there were telephonic conversations between the present petitioner and the principal accused at the relevant time.

It was after perusing the earlier report, which stated that no phone communication had been established between the petitioner

and the co-accused, that this Court thought it fit to enquire further into the matter. The earlier report was projected, as if, phone calls could not, as of then, be established. However, the picture has now become clear that phone calls were indeed made between the present petitioner and the principal accused at the relevant time.

Considering the above, the other incriminating material available in the case diary and the restriction contained in Section 37 of the NDPS Act, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, the application for anticipatory bail is rejected.

A copy of this order be sent to the Director General of Police for his perusal regarding the dismal performance of the present Investigating Officer in the instant case.

Personal appearance of the Investigating Officer is noted and is dispensed with.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)