

10.04.2026
Sl. No.46
Ct. 28
NB

C.R.M (A) 766 of 2026

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 Kaliachak PS Case No.296/2025 dated 26.02.2025 under Sections 21(c)/27A/29 of the NDPS Act.

And

In the matter of: Chadu Mandal @ Chandu Mandal
... petitioner

Mr. Arup Kumar Bhowmick.
...for the petitioner.

Mr. Bitasok Banerjee,
Mr. Dipankar Paramanick.
...for the State.

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

Learned counsel appearing on behalf of the petitioner submits as follows. The only material available against the present petitioner is the statement of a co-accused which is not admissible in evidence. A similarly circumstanced co-accused was granted anticipatory bail by this Court on 18.02.2026 in *CRM (A) 361 of 2026*.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. However, he submits that there is no money trail or phone call conversation between the petitioner and the principal accused. However, there is a criminal antecedent of the petitioner, but not under provisions of the NDPS Act. Charge sheet has been submitted.

In view of the above, the petitioner has been able to rebut the restriction contained in Section 37 of the NDPS Act and

considering the materials available in the case dairy, the fact that a substantially similarly circumstanced co-accused was granted anticipatory bail earlier and the fact that charge sheet has already been submitted, I am inclined to grant anticipatory bail to the present petitioner.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and shall surrender before the learned jurisdictional Court and pray for bail within four weeks from this date.

The application for anticipatory bail is, thus, disposed of.

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.)