

24.03.2026

Item No.45
Ct.No.35
dc.

Allowed

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

C.R.M. (NDPS) 435 of 2026

In Re : An Application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Jalangi Police Station Case No. 205 of 2025 dated 21.04.2025 under Sections 21(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In Re : **Habibur Rahaman @ Rentu Mandal @ Mondal**
... Petitioner.

Mr. Arnab Chatterjee,
Ms. Ankusha Ghosh,
Ms. Debolina Roy
... For the Petitioner.

Mr. Sanjoy Bardhan,
Ms. Pritha Paul
... For the State.

Learned advocate appearing for the petitioner submits that 141 bottles of phensedyl were recovered from one Rakib Mulla @ Molla who has been granted interim bail. There are three other accused persons who have been chargesheeted, out of which two other accused persons have been granted anticipatory bail. Petitioner, after his anticipatory bail was rejected, surrendered before the learned Special Court and is in custody for about 43 days.

Learned advocate appearing for the State, on the other hand, opposes the prayer for bail and submits that there are antecedents of the present petitioner. The observation of the learned Court while rejecting the prayer for anticipatory bail reflects that petitioner was communicating through his wife's phone with the principal accused.

Having regard to the fact that the principles of anticipatory bail and that of bail are completely different and

the subject-matter of the case involves alleged recovery of 141 bottles of phensedyl, I am of the opinion that further detention of the present petitioner in connection with the instant case is unwarranted. As such, the prayer for bail of the petitioner is **allowed**.

Accordingly, the petitioner viz., **Habibur Rahaman @ Rentu Mandal @ Mondal** shall be released on bail upon furnishing bond of Rs.20,000/-, with two sureties of Rs.10,000/- each, one of whom must be local, to the satisfaction of the learned Judge, Special Court under the NDPS Act-cum-Additional Sessions Judge, 5th Court, Berhampore, Murshidabad.

If on bail, the petitioner shall be physically present on each and every date so fixed by the learned Special Court and shall not leave the jurisdiction of the district of Murshidabad without prior permission of the learned Special Court.

The application for bail, being CRM (NDPS) 435 of 2026, is, thus, disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)