

16.04.2026
Court No.28
Item No. 14
tbsr
Allowed

CRM (A) 1037 of 2026

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Ranitala** P.S. Case No.**484 of 2025** dated **22.07.2025** under Sections **21(c)/29** of the NDPS Act, 1985.

And

In the matter of: **Austom Mondal @ Astom Mondal**

....Petitioner.

Mr. Navanil De
Ms. Monami Mukherjee
...for the petitioner.

Mr. A. Hossain
Mr. S. Bhakat
....for the State.

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

Upon instruction from the Investigating Officer, who is present in Court, it is submitted on behalf of the State that no efforts have been made to collect the phone call records of the arrested accused, far less those of the absconding accused.

It appears that the charge sheet had been submitted in January, 2026 without looking into these aspects.

It is unfortunate that the Investigating Officer did not take any steps to find out any connection of the present petitioner with the other accused by searching out whether there were any phone call conversations between them.

However, at present the only material available against the present petitioner is the statement of a co-accused, which is not admissible in evidence and charge sheet has already 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 other materials available in the case diary, I am inclined to grant anticipatory bail to the petitioner.

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 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 further condition that the petitioner shall surrender before the learned jurisdictional Court within four weeks from this date and pray for bail and shall regularly attend the jurisdictional Court and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

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

A copy of this order be sent to the concerned S.P. for his perusal.

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.)