

07/04/2026
D/L – 30
Court No.28
S. Kundu
Allowed

C.R.M.(A) 1047 of 2026

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with NCB Crime No. 15/NCB/kol/2024 dated 06/09/2024 corresponding to NDPS Case no. 77 of 2024 under sections 8(C) read with 21(C) and 29 of the NDPS Act.

In the matter of: Palash Mondal

...Petitioner.

Mr. Sourav Chatterjee
Mr. Avik Ghatak
Mr. D. Mukherjee
Mr. M. Majumder

...for the petitioner.

Mr. Kallol Kr. Basu
Mr. R.R. Maity

...for the NCB.

1. Report filed on behalf of the NCB is taken on record.
2. Learned senior counsel appearing on behalf of the petitioner submits as follows. The petitioner has been falsely implicated in this case. His name transpired from the statement of another co-accused. Earlier, a substantially similarly circumstanced accused being Tarak Saha was granted anticipatory bail by this Court on 11/03/2026 in CRM (A) 397 of 2026.
3. Learned counsel appearing on behalf of the NCB strongly opposes the prayer for anticipatory bail. However, he submits that the petitioner's name transpired from the statement of a co-accused. In fact, there are phone call conversations between the petitioner and one Goutam, but not with the accused who were arrested with the

contraband. Incidentally, the name of the Goutam also transpired from the statement of another arrested co-accused.

4. In view of the above and the fact that the only material available against the petitioner is the phone call conversations between him and two other co-accused from whom no contraband had been recovered, the petitioner has been able to rebut the restriction contained in Section 37 of the NDPS Act and considering the other materials available from the investigation, the fact that a substantially similarly circumstanced co-accused was granted anticipatory bail by this Court, and the fact that charge sheet has already been filed, I am inclined to grant anticipatory bail to the petitioner.
5. In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- each 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 further conditions that the petitioner shall not threaten or intimidate the witnesses. The petitioner shall surrender before the learned jurisdictional Court and pray for bail within four weeks from date and regularly attend the jurisdictional Court.
6. Accordingly, the application for anticipatory bail is allowed.

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

(Jay Sengupta, J.)