**17.11.2026**
Court No.35.
D/L.24.
Rakib
**(Allowed)**

**CRM (NDPS) 2162 of 2026**

In Re: An Application for Bail under Section 439 of the Code of Criminal Procedure, 1973/Under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Jalangi Police Station case no. 41 of 2024 dated 06.02.2024 under Sections 21(c) of the NDPS Act.

And

**In the matter of : Arif Mondal @ Sk Arif Mandal @ Sk**

**.....Petitioner.**

Mr. Abhijit Singh
Mr. Anisur Rahaman
.....for the Petitioner.

Mr. Aniruddha Bhattacharyya
Mrs. Priitha Sinha
.....for the State

Learned advocate appearing for the petitioner submits that from the house of the petitioner 198 bottles of phensedyl were recovered. Petitioner's prayer for anticipatory bail was rejected by the Hon'ble High Court as well as the by the Hon'ble Supreme Court. Petitioner surrendered before the learned Special Court and is in custody for 110 days.

Learned advocate appearing for the State opposes the prayer for bail in view of the quantum of seizure which has been effected as the rigors of Section 37 of the NDPS Act is attracted.

I have taken into account the materials appearing in the Case Diary as well as the memo of evidence which do not reflect that there are criminal antecedents of the present petitioner. Having considered that the rigors of Section 37 of the NSPS Act also incorporate within its ambit while on bail petitioner is not liable to commit another offence and the antecedents of the petitioner do not

reveal that petitioner was earlier not involved in a similar case, an opportunity in life is granted to the petitioner. As such, prayer for bail of the petitioner is **allowed.**

Accordingly, the petitioner, namely, **Arif Mondal @ Sk Arif Mandal @ Sk** shall be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties of Rs.10,000/- (Rupees Ten Thousand only) each, one of whom must be local to the satisfaction of the learned Additional District and Sessions Judge, 5th Court, Murshidabad.

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

Thus, CRM (NDPS) No. 2162 of 2026 is **allowed.**

The observations made above are only restricted for adjudication of the bail application and should not be considered a final opinion on the merits of the case.

Memo of evidence submitted by the State be kept with the record.

All parties shall act in terms of server copy of the order 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.)**