09.10.2026
Serial no. 96
Anticipatory Bail
*[**Partly Allowed**]*
Dd

In the High Court at Calcutta
Criminal Miscellaneous Jurisdictional
Appellate Side

CRM (A)/3510/2026

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure* corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 *in connection with **Krishnaganj** Police Station Case No. **258** of **2026** dated **08.06.2026** under Sections **20(b)(ii)(c)/21(c)/29** of the* NDPS Act, 1985 *pending before ld.Judge, Special Court, NDPS Act, Krishnagar, Nadia.*

-And-

In the matter of **:** *JASIM MONDAL AND ANR.*

… … **Petitioners**

Ms. Minoti Gomes,
Mr. Snehansu Majumder, Advocate
… … For the Petitioners

Mr. Somnath Adhikary,
Ms. Madhurai Sinha, Advocates
… …For the State

1. So far as the petitioner No. 1 is concerned, there are three criminal antecedents.
2. In such circumstances, petitioner No. 1 is unable to overcome the restrictions under Section 37 of the NDPS Act, 1985.
3. So far as the second petitioner is concerned, police at this stage is unable to establish any nexus between the petitioner No. 2 and the seized commercial quantity of narcotics.
4. In such circumstances, petitioner No. 2 is able to overcome the restrictions under Section 37 of the NDPS Act, 1985.
5. Consequently, I grant anticipatory bail to petitioner No. 2 (Basir Mondal) and unable to grant anticipatory bail to petitioner No. 1 (Jasim Mondal**)**

6. Accordingly, I direct that in the event of arrest the petitioner No. 2 (Basir Mondal) shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, 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 Bharatiya Nagarik Suraksha Sanhita, 2023 and on further condition that the petitioner No. 2 (Basir Mondal) shall report before the Investigating Officer once in a fortnight till the conclusion of the investigation and on further condition that the such petitioner No. 2 (Basir Mondal) shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the such petitioner No. 2 (Basir Mondal) in Court including cancelling the anticipatory bail granted without further reference to this Court.
7. Prayer for anticipatory bail of the petitioner No. 2 (Basir Mondal) is **allowed**.
8. Prayer for anticipatory bail of the petitioner No. 1 (Jasim Mondal) is **rejected**.
9. ***CRM (A)/3510/2026*** is **disposed of**.

(Debangsu Basak, J.)

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