

**In the Court of Additional District & Sessions Judge, 2nd Court,
- Cum -
Judge, Special Court, NDPS Act,
Berhampore, Murshidabad.**

**Present : Sri Ajay Kumar Singh
Additional District & Sessions Judge, 2nd Court,
-Cum-
Judge, Special Court, NDPS Act,
Berhampore, Murshidabad.**

**Bail Petition No.:- 115-2026
[In NDPS Case No.:- 90-2025]**

Re : Application for bail of the petitioners/accused persons in connection with Ranitala P.S. Case 371/25, dated 01.06.2025, u/s 21(c)/29 of the NDPS Act, u/s 12 of Passport Act and u/s 13/14 Foreigners Act.

Biswajit Mondal Petitioner/Accused

Versus

State of West Bengal O.P.

Order No.:-25

Dated:- 09.06.2025.

Today is fixed for hearing the instant bail application.

Ld. Special P.P. is present. So does the Ld. Advocate for the petitioner. C.D. is available.

The instant bail application is taken up for hearing.

At the outset, Ld. Advocate for the petitioner has apprised this Court that the petitioner has preferred an anticipatory bail petition before the Hon'ble High Court, Calcutta but during the pendency of the said petition petitioner was arrested and in consequence thereof, the said application pending before the Hon'ble Court was dismissed as 'not pressed'.

Ld. Advocate for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in this case. He has further contended that the petitioner was arrested during investigation on the basis of confessional statement of the co-accused person. He has further contended that investigation of this case is complete and charge-sheet has been filed. Ld. Advocate for the petitioner has also contended that the petitioner is in custody since 24.03.2026 and no contraband has been recovered from his possession. Ld. Advocate for the petitioner has also contended that the co-accused person has already been enlarged on bail by the order of the Hon'ble High Court, Calcutta. In this background Ld. Advocate for the petitioner/accused has prayed before this Court to release the accused on bail on any condition put by this Court.

Per Contra, Ld. Special P.P. has vehemently raised objection against the bail application. In support of his contention, he has submitted that the petitioner is involved in the illegal business of contraband substance so seized and there is sufficient allegation against him. He has further contended that in this case commercial quantity of contraband substance in terms of 99 bottles of Phensedyl of 100 ml. each were recovered and there is specific bar u/S. 37 of the NDPS Act and he prays for custodial trial and not to release the accused person on bail in such cases.

Heard the rival submissions at the Bar. Considered.

Perused the materials on record and CD and it transpires that the petitioner was arrested during investigation on the basis of confessional statement of the co-accused person. I also do find that investigation of this case is complete and charge-sheet has been filed. It also transpires from the record that the petitioner is in custody since 24.03.2026 and no contraband has been recovered from his possession. I also do find that co-accused person has already been enlarged on bail by the order of the Hon'ble High Court, Calcutta.

Considering the facts and circumstances of the instant case and also taking into consideration that the co-accused person has already been granted bail by the Hon'ble High Court, Calcutta, I am inclined to allow the bail prayer of the petitioner on interim basis.

Hence, it is

ORDERED.

That the petitioner namely, **Biswajit Mondal** may find interim bail till 25.06.2026 on furnishing bond of Rs. 20,000/-, with two sureties of like amount each, out of whom one must be local, subject to the satisfaction of this court, with further condition that he will appear before this court on each and every date of hearing until further orders and will not intimidate witnesses or tamper with evidence in any manner whatsoever and in default his bail shall automatically be cancelled without further reference to this court.

In view thereof, the petitioner is directed to furnish bonds in terms of the condition imposed by this Court.

To date (i.e. 25.06.2026).

Dictated & Corrected by
me

Judge, Special Court, NDPS Act,
(J.O. Code:- WB 01303)

Addl. Dist. & Sess. Judge, 2nd Court
- CUM -
Judge, Special Court, NDPS Act,
Berhampore, Murshidabad.
(J.O. Code:- WB 01303).