

17.08.2026
Item no. 11.
Court No.11.
AB

**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

CRM (NDPS) 376 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

And

In the matter of : Joy Basu Roy @ Palan Roy & Anr.

.....Petitioners.

Mr. Sourav Ganguly,
Ms. Rishita Chakraborty for the Petitioners.

Mr. Avrojoyti Das, ld. APP
Mr. Debabrata Rai for the State.

1. Learned Advocate for the petitioners says that all the four witnesses that the prosecution has examined till now, have deposed against the prosecution case. The two seizure witnesses also have not supported the prosecution case. The petitioners are in custody for 509 days. Relying on a decision of the Hon'ble Supreme Court in the case of **Ankur Chaudhary Vs State of Madhya Pradesh** reported in **2024 SCC Online SC 2730**, learned advocate submits that the petitioners should be enlarged on bail.
2. Learned State Counsel has opposed the prayer vehemently. Learned Counsel for the State submitted that the videographer who is the first witness named in the charge sheet, is yet to be examined.

3. Let definite instruction be obtained by the State as to whether or not the videographer of the search and seizure process has been examined. If he has been examined, his deposition should be produced before me.
4. List this matter on August 19, 2026.

(Arijit Banerjee, J.)