

27.07.2026
Item No.4
Court No.11
(GB)
(Allowed)

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

CRM (A) 427 of 2026

In Re: - An application for anticipatory bail under section 438 of the Code of Criminal Procedure, 1973/Section 482 of the B.N.S.S. 2023, in connection with **Sitai** Police Station Case No.**73 of 2025** dated **02.04.2025** under Sections 21(c)/20(b)(ii)(B)/29 of the Narcotic Drugs and Psychotropic Substances Act.

And

In the matter of: **Bishu Barman**

....Petitioner.

Mr. Sudip Guha

...for the Petitioner.

Mr. Avrojoyti Das, Ld. APP.,

Ms. Rajyashree Ghosh

... for the State.

1. The petitioner prays for pre-arrest bail in connection with Sitai Police Station Case No.73 of 2025 dated 02.04.2025 under Sections 21(c)/20(b)(ii)(B)/29 of the Narcotic Drugs and Psychotropic Substances Act.
2. Learned advocate appearing for the State produces the case diary and opposes the prayer for anticipatory bail of the petitioner.
3. Learned advocate for the petitioner submits that he has been falsely implicated on the basis of the statement of the co-accused. It is submitted that the materials do not reflect commission of any offence under the Narcotic Drugs and Psychotropic Substances Act. Even, during the course of investigation, no materials were available, which would point towards the involvement of the petitioner.

4. Learned advocate for the State submits that the name of the petitioner transpires from the statement of the co-accused.
5. From the case diary, it does not appear that any call records were intercepted and the money trail could be traced to the petitioner. There does not appear to be any criminal antecedent. This Court also finds that a co-accused who was standing on the same footing, has been granted anticipatory bail by a coordinate Bench. The investigation is complete
6. Accordingly, this Court directs that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.20,000/- with two sureties of like amount each, one of the whom must be local, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. The further condition is that the petitioner shall appear before the jurisdictional court on the dates fixed. The petitioner shall not leave the jurisdiction of the Sitai Police Station except for the purpose of attending court.
7. In case the petitioner fails to adhere to any of the conditions as stated above, the learned jurisdictional court shall be entitled to cancel the bail without further reference to this Court.
8. The application for anticipatory bail is, thus, allowed and disposed of.
9. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Shampa Sarkar, J.)