

23.09.2021

Court No.01
rpan / **11**

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI**

CRAN 1 of 2021
with
C.R.M. 539 of 2021

In Re:- An application for anticipatory bail under section 438
of the Code of Criminal Procedure;

and

In Re : **Sri Gobinda Kumar Mandal**

....Petitioner.

Ms. Suman Sehanabis (Mondal),
Ms. Arpita Saha

... for the petitioner.

Ms. Panchali Deb Sikdar (Nag)

... for the NCB.

Apprehending arrest in connection with N.C.B. Crime
No.55/NCB/KOL/2017 dated 2nd November, 2017 under Section
21 (c) of the Narcotic Drugs and Psychotropic Substances Act,
1985, the petitioner has filed the present application.

The learned advocate appearing for the petitioner submits
that the petitioner has been falsely implicated. The principal
accused was granted interim bail on 30th November, 2017.
Thereafter, the application for cancellation of bail, as preferred by
the NCB, was rejected on 7th February, 2018. However, further
application for cancellation of bail of Reema Mandal has again
been preferred by the NCB and the same has been fixed for
hearing on 8th November, 2021. Upon completion of investigation,
charge-sheet has also been submitted. In view of the changed
circumstances, the present application is maintainable and
custodial interrogation of the petitioner is not warranted.

The learned advocate appearing for the NCB is present.

Records reveal that the petitioner's first application for anticipatory bail was rejected by a coordinate bench on 4th May, 2018. He again preferred another application for anticipatory bail and the same was rejected on 7th February, 2019. The charge-sheet was submitted prior thereto on 2nd August, 2018.

In our opinion that there had been no substantial change in the circumstances due to subsequent events after rejection of the petitioner's earlier prayer for anticipatory bail. As such, his prayer for anticipatory bail is refused.

Accordingly, the application for anticipatory bail, being CRM 539 of 2021 is dismissed.

The application for early hearing, being CRAN 1 of 2021 is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Abhijit Gangopadhyay, J.) (Tapabrata Chakraborty, J.)