

17.03.2026
Sl. No.42
Ct. 06
NB

Calcutta High Court
In The Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction

C.R.M (A) 134 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of: Gopal Biswas

... petitioner

Mr. Sourav Ganguly,
Mr. Bibek Tarafder,
Mr. Gopal Roy,
Ms. Rishita Chakraborty.
...for the petitioner.

Mr. Sudipto Kr. Mazumder Id.DSGI,
Mr. Tridip Kr. Paul,
Mr. Sudip Kr. Paul.
..for the NCB.

Learned counsel appearing on behalf of the petitioner submits as follows. Other than the statement of a co-accused, there is no other material available against the present petitioner. The petitioner responded to the first notice issued by the NCB and explained the circumstances appearing against the petitioner. The petitioner happened to be a neighbour of the principal accused. So there was some bank transaction between the two and phone call conversation.

Learned senior counsel representing the NCB opposes the prayer for anticipatory bail. He refers to the statements of co-accused, the bank statements and phone call records and submits that there were phone conversations between the petitioner and the principal accused and there was money trail as well. Additionally, a proclamation has been issued against the present petitioner.

Considering the above, the other incriminating materials available in the case diary, the fact that a proclamation has already been issued against the petitioner and the restriction contained in Section 37 of the NDPS Act, I do not consider this to be a fit case for granting anticipatory bail to the present petitioner.

The application for anticipatory bail of the petitioner is, thus, rejected.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)