

AD 18
March 24, 2026
Ct. 6
SG

IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Miscellaneous Jurisdiction

CRM(A) 150 of 2026

Reject

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Sahebganj P.S. Case No.489 of 2025 dated 23.08.2025 under Sections 20(b)(ii)(c)/29 of the NDPS Act.

And

In the matter of: *Binoy Roy*

... *petitioner*

Mr. J.K. Bhowmik

Mr. S. Bhowmik

Mr. S. Kumar

Ms. J. Haue

Ms. P. Das

... for the petitioner

Mr. T. Bhattacharjee

Mr. D. Sil

... for the State

Learned counsel for the petitioner submits that the only material available against the petitioner is the statement of a co-accused and the fact that the petitioner was the owner of the motorcycle in question. The petitioner had given his motorcycle to a co-villager on hire.

Learned counsel for the State strongly opposes the prayer for anticipatory bail and relies on the FIR, the statements of witnesses and the seizure list. He submits that as per the FIR and the statements of witnesses, out of two persons, one was apprehended with the contraband. The petitioner, who was the pillion rider, fled away from the spot. If the petitioner is arrested, he would be identified by

the witnesses. Moreover, the petitioner is the owner of the motorbike in question.

Considering the above, the other incriminating materials available in the case diary and the restrictions contained in Section 37 of the NDPS Act, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail is, thus, rejected.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)