

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

**22.08.2023
Court No.1
(AK 41)**

CRM(A) 510 of 2023

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Pundibari Police Station Case No. 700 of 2022 dated 01.12.2022 under Sections 21(c)/25 of the NDPS Act.

And

In the matter of: **Vijay Kumar Gami**

. **Petitioner.**

Mr. Sudip Guha

...For the Petitioner.

Mr. Aditi Shankar Chakraborty
Mr. Aniruddha Biswas

... For the State.

The contention made on behalf of the petitioner that the petitioner transferred the vehicle to another person sometime on 10th March, 2021 does not appear to be evident from the document annexed to the application. The document is simply a notarized document and accused to be a sale deed with the contents of the document not being entirely comprehensible to the court.

It is also significant that the petitioner did not take this plea to the notice issued by the SI of the Cooch Behar Police Station under Section 91 of the CrPC on 10th May, 2023.

In any event, this point of an alleged change in ownership of the concerned vehicle will be a matter of trial as and when the issue becomes relevant.

Considering all the facts and circumstances, we are unable to allow the prayer for anticipatory bail.

The application for anticipatory bail being CRM(A) 510 of 2023 is accordingly rejected and disposed of for the above reasons.

(PRASENJIT BISWAS, J.)

(MOUSHUMI BHATTACHARYA, J.)