

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

11.01.2023
Court No.1
(skb 49)

CRM(A) 716 of 2022

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 in connection with Jaigaon Police Station Case No. 63 of 2022 dated 01.04.2022 under Sections 20(b)(ii)(c) of the N.D.P.S. Act, 1985.

And

In the matter of: **Raju Ram**

.**Petitioner.**

Mr. Arnab Sengupta,
Mr. Rajesh Kumar Sharma,
Ms. Deborshi Dhar,
Mr. Janardan Periwal

... For the Petitioner.

Mr. Arun Kumar Sarkar,
Mr. Tapan Bhattacharjee

... For the State.

Having considered the submissions of learned counsel appearing for the parties and the material before us more importantly, a notice served on the petitioner under Section 91 of the Cr.P.C., we are convinced that the petitioner has not cooperated with the investigation. The petitioner is the owner of the vehicle and the driver and co-driver are both absconding. The various pleas raised by the petitioner shall be considered once the petitioner makes himself available for the investigation.

The point with regard to notice being issued under Section 67 of the NDPS Act, 1985 is taken note of. The respondent shall proceed accordingly.

The facts do not persuade us to grant the prayer for anticipatory bail.

The application for anticipatory bail being CRM(A) 716 of 2022 is accordingly rejected in terms of the above.

(SIDDHARTHA ROY CHOWDHURY, J.)

(MOUSHUMI BHATTACHARYA, J.)