

**In The High Court at Calcutta
In the Circuit Bench at Jalpaiguri**

06.01.2025
KAUSHIK
sl no. 18

CRM (DB) 707 of 2024

In Re: An application for bail under Section 483 of the B.N.S.S., 2023 (corresponding to Section 439 of the Cr. P.C.) in connection with Sessions Case No. 129 of 2023 arising out of CBI Case RC 220 No. **220 2011 E 008** dated **17.08.2011** under sections 489(B)/489(C)/120B of the Indian Penal Code, 1860 and under Sections 104/110/135 of the Customs Act (corresponding to G.R. Case No. 1535 of 2022).

And

In the matter of: Sanjay Kumar & Anr.

..... petitioner

Mr. Prajnadeepta Roy
Ms. Sohini Kundu

..... for the petitioners

Mr. Sudipto Kumar Mazumdar, Ld. DSGI
Mr. Ajoy Kumar Singhania

..... for the UOI

It is submitted on behalf of the Central Bureau of Investigation (CBI) that they have been deliberately and mischievously not impleaded as a party-respondent, despite the investigation having been carried out by them.

It is fairly admitted by the petitioners that the CBI ought to have been impleaded as a party-respondent.

In view of the above, CRM (DB) 707 of 2024 stands dismissed.

Liberty is granted to the petitioner to file an appropriate application in accordance with law after impleading the CBI.

(Ravi Krishan Kapur, J.)

(Uday Kumar, J.)