

D/L. 43
February 1, 2023
MNS

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRM (NDPS) 24 of 2023

In Re: - An application for bail under Section 439 of the Code of Criminal Procedure filed on 02.01.2023 in connection with CR (NDPS) Case No. 97 of 2021 arising out of Pradhannagar Police Station Case No. 601 of 2021 dated 07.08.2021 under Sections 20(b)/22(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

And

In the matter of: Neema Dorjee Tamang

.... Petitioner

Mr. Hillol Saha Podder

... for the petitioner

Mr. A. S. Chakraborty,
Mr. Aniruddha Biswas

... for the State

Learned counsel for the petitioner submits that the petitioner is entitled to bail in the present case since the petitioner is in custody for a specific period of time, that is, for about one year and six months. It is further submitted that in the present case, only on the ground of non production of chemical examination report, the time for filing charge-sheet was extended. Charge-sheet has been filed without the chemical examination report. Moreover, learned counsel for the State submits that the petitioner is a resident of Sikkim and in the event he is enlarged on bail, it will be extremely difficult to trace out the petitioner subsequently.

Heard learned counsel for the parties.

Keeping in view the nature of the allegations made against the petitioner under the NDPS Act and the fact that the petitioner is not a

resident of West Bengal, we do not deem it proper at this stage to grant bail to the petitioner.

Accordingly, CRM (NDPS) 24 of 2023 is dismissed.

(Sabyasachi Bhattacharyya, J.)

(Rai Chattopadhyay, J.)