

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

12.04.2023
Court No.1
(D/L 18)
(rejected)

CRM (NDPS) 54 OF 2023

In Re: An application for bail under Section 439 of the Code of Criminal Procedure, 1973 filed on 04.01.2023 in NDPS Case No.98 of 2022 arising out of Pradhan Nagar Police Station Case No.682 of 2022 dated 31.08.2022 under Sections 21(c)/22(c) of the NDPS Act, 1985.

And

In the matter of: **Sudip Gupta**

... Petitioner.

Mr. Hillol Saha Poddar
Ms. Mousumi Das

... for the petitioner.

Mr. Avijit Sarkar
Mr. Sourav Ganguly

... for the State.

Learned counsel appearing for the petitioner prays leave for an extension of bail on the ground that nobody is there in the family to look after the wife and child and the child is aged one month only.

Perused the order dated 09.02.2023 passed by His Lordship Hon'ble Justice Sabyasachi Bhattacharyya and Hon'ble Justice Rai Chattopadhyay from where it can be seen that the petitioner was granted bail for the time being for the delivery of the baby.

A report was called for from the investigating officer Pradhan Nagar Police Station/SPC from where it can be seen that there are total six family members including the child, who reside in the house of the accused/petitioner.

The case is in relation to CR (NDPS) Case No.98 of 2022, where a large quantity of Brown Sugar has been recovered from the petitioner.

Hence, we are not inclined to extend the bail to the petitioner and the interim bail is cancelled.

The application for grant of interim bail is, accordingly, quashed.

[SHAMPA DUTT (PAUL), J.]

(RAJARSHI BHARADWAJ, J.)