

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri**

27.02.2023.
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(Rejected)

C.R.M. (NDPS) 154 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with NDPS Case No. 86 of 2022 arising out of Bagdogra P.S. Case No.356 of 2022 dated 26.07.2022 under Section 21(c) of the NDPS Act.

In the matter of : Chandan Kumar. ... Petitioner.

Ms. Sriya Basu.

...for the Petitioner.

Mr. Nilay Chakraborty,
Mr. Tapan Bhattacharjee.

...for the State.

Heard the learned Advocates for the parties.

We have considered the materials on record. Though it is contended that the application for extension of detention was made by the Investigating Officer, no document in support of such prayer is made. On the other hand, it appears that the period of detention was extended under Section 36A(4) of the NDPS Act.

In view of the aforesaid and other incriminating materials showing recovery of narcotics i.e. 2.276 kgs of heroin from the vehicle which was in control and custody of the petitioner, we are not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected.

(Subhendu Samanta, J.)

(Joymalya Bagchi, J.)

