

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

02.03.2023.
11/tkm

C.R.M. (NDPS) 181 of 2023

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with Kalimpong P.S case no.212 of 2022 dated 8.8.2022 under sections 22(c) of the NDPS Act.

In the matter of : Chewang Tenzing Bhutia ... Petitioner

Mr. Pratap Khati
Mr. R Sharma

...for the Petitioner

Mr. Aditi Shankar Chakraborty
Mr. Sourav Ganguly

...for the State.

Report is placed on record.

Contention of the petitioner that the petitioner's mother has recently died is incorrect. His mother had died in November 2020.

Hence, we are not inclined to release the petitioner on interim bail on humanitarian ground. On merits, there are materials implicating the petitioner in transporting narcotics above commercial quantity.

Under such circumstances and in view of statutory restrictions under section 37 of the NDPS Act we are not inclined to grant bail to the petitioner.

Accordingly, prayer for bail is rejected.

(Subhendu Samanta,J.)

(Joymalya Bagchi, J.)