

**C. Case No. 8/2022**  
**CNR- WBBB01-000100-2022**  
**JO-WB 00052**

Order No. & Date  
03/ 08.04.2022

3 accused persons, namely, Paritosh Biswas, Barun Pal and Subrata Pal are produced from JC.

Ld. P.P. in-charge for the prosecution and Ld. Advocate for defence are present.

Bail petition filed by the Ld. Advocate for defence is taken up for hearing.

Heard both sides. Perused materials on record.

In support of bail application, Ld. Advocate for defence submits that the seizure list prepared by the arresting authority does not bear the signature with seal of the Gazetted Officer which is total violation of law. According to him this is a fit case for grant bail to the accused persons.

Ld. P.P. in-charge opposes the submission of his counterpart and submits that ganja was recovered from the exclusive possession of the accused persons by S.I., Subhankar Banerjee of Sainthia GRPS. He fairly admits the said seizure list does not bear the signature of Gazetted Officer or Magistrate. According to him mere absence of signature of Gazetted Officer or Magistrate in seizure list, the entire prosecution case regarding recovery of ganja cannot be washed out. Therefore, he prayers for rejection of bail prayer.

It is true that the seizure list does not bear the signature of any Gazetted Officer and Magistrate required u/s 50 of the NDPS Act. But, at the same time, it is palpable clear that there was recovery of ganja from the possession of the accused persons about more than 20 kgs. Therefore, in such circumstances, we cannot believe the alleged recovery of ganaj from the exclusive possession of the accused persons. Thus, bail prayer is considered and rejected and they are remanded to JC till 22.04.2022.

Dictated & corrected by me.

Judge, Special Court under  
NDPS Act, 1st Court, Suri

Judge, Special Court under  
NDPS Act, 1st Court, Suri.