

C. Case No. 4/2024
CNR- WBBB01-001724-2024
JO-WB00703

Order No. & Date

18/ 20.11.2024

Today is fixed for production.

Accused persons namely, Anod Yadav and Md. Ikwal are produced from J/C.

Ld. Advocate for the accused Md. Ikwal files a bail petition praying for statutory bail on the ground that he has been languishing jail for more than 180 days and no charge sheet has been submitted.

Perused the bail petition.

Heard both sides.

Ld P.P. in-charge has submitted that the I.O has already intimated the court in writing that as the chemical examination report of the sample has not been received , he could not file the charge sheet within the statutory period . He has further submitted that the accused is a resident of different state and he will misuse the liberty of bail and will evade to face the trial and may involve in similar kind of offence.

Ld advocate on behalf of of the accused submits that the accused has been languishing in jail for more than six months and also has invited the attention of the court in respect of section 36A(1)(4) of the N.D.P.S Act and has submitted that the conditions laid down in the proviso of that section has not been complied with. He has further submitted that no such report as mandated in that provision has been submitted by the ld P.P. The prayer of I.O regarding extension of time cannot be treated as report and further more in that prayer 'no specific reason for detention' was mentioned.

I have gone through the record.

15000 bottle containing Triprolidene Hydrochloride and Codeine Phosphate were recovered and seized from the accused person.

Undisputedly the accused is a resident of Jharkhand.

Having heard the rival submission of both sides and on perusal of the record I am not inclined to enlarge the accused namely, Md. Ikwal on bail and thus the prayer for bail is rejected.

Fix 04.12.2024. for production and I.O.'s report in final form.

Dictated & Corrected.

Judge, Special Court
NDPS Act, Suri,
Birbhum
In-Charge

Judge, Special Court
NDPS Act, Suri,
Birbhum.
In-Charge