

CNR No. WBDJ070003072023

JO Code : WB00935

Special NDPS Case No. 2/2025

Order No. 4

Dated 17.10.2025

Today is fixed for production and further examination of P.W.1.

Accused Ganesh Thapa is produced from J/C.

However, no witness is present today as per the endorsement of the Ld. Special P.P.

Hence, the case is adjourned.

Fix **11.11.2025** for production and evidence of P.W.1.

At this stage, Ld. Counsel for the accused files a petition praying for bail on the ground stated therein.

Copy of bail petition has duly been served upon Ld. Special P.P.

Heard both sides at length.

Ld. Counsel for the accused cited the ground of long pendency of the instant case for trial as well as non compliance of certain mandatory formalities by the I.O. of the case at the time of making arrest of the accused as pivotal ground for grant of bail and further submits that the accused is a sole bread winner of the family and his long incarceration not only cause irreparable injury to him but it will also ruin his family for which he may be enlarged on bail on any condition.

The Ld. Counsel for the accused also cited two decisions of Hon'ble Apex Court as well as Hon'ble High Court at Calcutta, Circuit Bench, Jalpaiguri passed in CRM (NDPS) No. 146 of 2025 to substantiate his contention for grant of bail.

Ld. Special P.P., however, raises vehement objection considering the quantum of seized contraband as well as the stage of trial and further contended that memo of arrest clearly goes to show that the relatives of the accused was duly intimated about the arrest of the accused for which there is no ground for enlargement of the accused on the score of non compliance of certain mandatory formalities by the I.O. of the case and therefore prays for rejection of prayer for bail.

Perused the complaint as well as seizure list.

Having regard to the graveness of the offence, quantum of seized contraband and stage of trial, I am not inclined to enlarge the accused on bail.

Hence, bail prayer stands rejected.

Todate.

D&C by me

Sd/-

Judge, Special Court (NDPS)

Sd/-

Judge, Special Court (NDPS)

Kalimpong

Kalimpong