

In the Court of Additional Sessions Judge, 1<sup>st</sup> Court, Bankura  
cum Judge Special Court under the NDPS Act

Present : Prasanta Mukhopadhyay,  
Addl. District & Sessions Judge,  
1<sup>st</sup> Court, Bankura Cum Judge  
Special Court under NDPS Act,  
In-charge

N D P S Case No: 11 of 2021/  
Registration No: 11/2021  
CNR No: WBBK01-001347-2021

**Order No: 09**

**Dated: 18-09-2021**

Accused, Seikh Adil, Seikh Rasid and Lakshmikanta Gorai are produced from J.C.

Bail applications are filed on behalf of them by their respective Ld. Counsels. Ld. Special P.P is present and ready to oppose the prayer for bail.

Heard the Ld. Counsels who submit that the article seized in this case has not yet been determined by any expert to be 'ganja'. The second point urged by them is that there is no separate seizure list in respect of seizure of the suspected article from individual accused persons which, according to them, is unusual. The third point urged by them is that the quantity of the seized article is less than commercial quantity and if the same is divided by 3, the same would be reduced to nearly small quantity. So, they submit that this is a fit case for bail.

Ld. Special P.P vehemently opposes the prayer for bail on the ground that there is joint liability of all three accused persons and such offence is normally committed by a racket involving several persons. The investigating agency is yet to get at the source of such offence. He vehemently contended that the plea of small quantity and taking into account individual accused's liability on the basis of the total seized quantity of 'ganja' by dividing it proportionately is absolutely ridiculous submission of the defence.

Having heard submissions of both sides and having considered the nature and gravity of the offence; as well as having kept in mind that there is every possibility of the similar offence being committed by the present petitioners, if released on bail, I am of the conscionable view that this is not a fit case for bail. Hence, prayer for of all the three accused/petitioners is refused at this stage.

The accused persons be remanded to J.C till 01.10.2021.

Dictated and corrected.

Sd/-  
Addl. Sessions Judge,  
1<sup>st</sup> Court, Bankura.  
In-charge

Sd/-  
Additional Sessions Judge,  
1<sup>st</sup> Court, Bankura cum  
(Special Court)under NDPS Act  
Bankura, In-charge