

In the Court of Additional Sessions Judge, 1st Court, Bankura
cum Judge Special Court under the NDPS Act
NDPS Case No: 11 of 2021/
Registration No: 11/2021
CNR No. WBBK01-001347-2021

Order No: 13

Dated: 10-11-2021

Today is fixed for hearing of the bail petition dated 08.11.2021 filed on behalf of two accused persons namely Biren Kar and Seikh Adil and another bail petition dated 08.11.2021 filed on behalf of the accused person namely Sk. Rasid.

Today, one bail petition is filed on behalf of the accused person, namely, Lakshmikanta Gorai.

All the bail petitions are taken up for hearing.

Ld. Advocates for the accused persons and Ld. P.P in-charge are present.

Ld. Advocates for the accused persons, namely, Sk. Adil, Sk. Rasid and Lakshmikanta Gorai move the petitions for bail and submit for release of the accused persons on the grounds of their innocence and the period of long detention. According to the Ld. Advocates the accused persons have been languishing behind the bar since 06.08.2021 i.e. more than 90 days. The seized article being less than commercial quantity and as the charge sheet has not yet been submitted within 60 days, the accused persons should be released on bail.

Ld. Advocate for the accused person namely, Biren Kar moves the petition for bail and he has drawn the attention of the court towards the F.I.R from which it is found that the accused Biren Kar had already been arrested on 28.07.2021 by Coke Oven P.S(ADPC) in connection with Coke Oven P.S Case No. 125 of 2021 dated 28.07.2021 u/s 20(b)(II)(B) of the NDPS Act and the instant case was initiated on 05.08.2021 while the accused was in custody. Ld. Advocate has added that Ganja was not seized from the possession of this accused person. He is the owner of the motor cycle but he is not in any way involved in the alleged offence. He has been falsely implicated in this case. On the aforesaid grounds, Ld. Advocate has prayed for release of the accused person on bail.

Objection in granting bail of the accused persons has been raised by the Ld. P.P in-charge on the ground that the names of all the accused persons are transpiring in the F.I.R with an allegation that the three accused persons used

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the seized vehicle i.e. motor cycle of Biren Kar to carry and sale ganja since long. The accused persons are involved in the serious offence. Investigation has not yet been completed.

Ld. P.P in-charge has filed a petition praying for extending time for investigation.

Heard considered. Prayer is allowed.

In view of the materials on record and C.D, nature and gravity of the offence and also considering the submission of the Ld. Advocates for the both sides, I am not inclined to enlarge the accused persons on bail at this stage. Hence, prayer for bail stands rejected.

Fix 23.11.2021 for production and final report.

Call for C.D.

Dictated and corrected.

Sd/-
Addl. Sessions Judge,
1st Court, Bankura.

Sd/-
Additional Sessions Judge,
1st Court, Bankura cum
(Special Court)under NDPS Act
Bankura