

NDPS Case No. 01 of 2025

Order No. 5

dated 27.01.2025

Today is fixed for production and I.O.'s report.

Accused Nurjamal Miya, Ajijar Rahaman @ Pocha and Hasanur Jaman Sekh are produced from J.C. through V.C. and remanded to further J/C till 10.02.2025.

A bail petition is filed today on behalf of above accused persons praying for bail on the ground stated therein.

Copy served.

CD is produced.

Ld. PP in charge and the Ld. Lawyer of the accused are present.

Now, the bail petition filed on behalf of above accused persons is taken up for hearing.

Heard both sides.

It is submitted by the Ld. Advocate for the accused that they have been falsely implicated in this case as he was not aware about the case and have permanent residence in the locality. He further submits that they will not abscond if granted bail in their favour and thus he prays for allow the bail prayer of the above accused.

Ld. PP in charge opposes the bail prayer considering the nature of the offence where sufficient quantity of narcotic substances were seized and the investigating is going on.

Perused the materials on record, case diary and submission.

Having heard the submission of both sides and on perusal of the case record and case diary I find that altogether sufficient quantity of Brown Sugar like substance has allegedly been recovered from the possession of the accused persons which appears to be commercial in quantity for which no such benefit could have been extended to him in view of section 37 of NDPS Act in this regard and there are sufficient incriminating materials against the accused person u/s 21(C)/29 of the NDPS Act. Therefore the bail prayer of the above accused persons may not be allowed.

Under the above circumstances and grievous nature of offence as well as early stage of investigation, I am not inclined to enlarge accused on bail at this stage. Hence prayer for bail in respect of accused Nurjamal Miya, Ajijar Rahaman @ Pocha and Hasanur Jaman Sekh stands rejected.

To 10.02.2025 for production and I.O.'s report.

Dictated & Corrected by,

Sd/-

Addl. Sessions Judge, 1st Court,
(NDPS) Cooch Behar.

Sd/-

Addl. Sessions Judge, 1st Court,
(NDPS) Cooch Behar.
JO Code No. WB00654