

NDPS Case No. 07/2022

J.O Code:- WB00669 CNR No. WB WM06-001011-2022

Order No.25.

Dt. 08/05/2023.

Today is fixed for production and E/R of W.A.

Ld. P.P. in-charge as well as Ld. Defence counsel is present today.

Both the accused, namely, Koushik Das @ Bubun and Sk. Yusuf are produced from J/C. They are taken into custody and remanded to J.C till next date.

Received NER in respect of accused Sk. Sabbir @ Sabir Ali, Ayush Yadav and Anurag Tiwary respectively and warrant officer prays for time.

Perused the NER in respect of the above named accused persons.

It appears from the reports that they are absconding from their respective residence to avoid police arrest. Regarding their property nothing was found for proclamation and attachment. Immediate arrest of the above named accused persons is impossible and other accused are in custody since long. So there is no need to allow further time to the executing authority for execution and proclamation of attachment. Therefore case is filed for the present against the above named accused persons, namely, Sk. Sabbir @ Sabir Ali, Ayush Yadav and Anurag Tiwary.

Ld. Advocates on behalf of the accused persons, namely, Koushik Das @ Bubun and Sk. Yusuf files bail petitions.

Ld. Advocate for the accused persons, namely, Koushik Das @ Bubun and Sk. Yusuf submitted that the accused/petitioners have been falsely implicated in this case and they have been languishing in judicial custody since in 08.10.2022 and 10.10.2022 respectively. It is further submitted that the accused persons will not abscond if they are enlarged on bail and prays for enlargement on bail under any terms and conditions. It is further submitted that no such application for bail is either pending before or rejected by any superior court in respect of the accused /petitioners.

Ld. P.P. has vehemently raised objection against the bail petitions.

Perused the case record and case diary and other materials available thereon and on perusal of the same, I find that the accused persons, Koushik Das @ Bubun was brought under arrest on 08.10.2022 and accused Sk. Yusuf was brought under arrest on 10.10.2022. No plausible and credible ground is assigned by the Ld. Advocate for the petitioners u/s 37 of the NDPS Act that the accused persons committed no offence whatsoever. It is palpably subject matter of the trial. Charge sheet was already on Record. Prima facie case under the offence was already established. It is not satisfied that the accused persons proved by making submissions that the accused persons are not guilty to the offence as alleged. The present case relates with commercial quantity. Moreover I find that the alleged offences are grievous in nature and if the accused persons are enlarged on bail there is every possibility of abscondence and as such I am not inclined to allow the bail prayer. Hence the bail prayer stands **rejected**.

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contd..dt. 08.05.23

Bail petition is thus disposed off.

Copy supplied to the accused persons.

BC. II to take notes on relevant register.

Fix **05.06.2023** for production and consideration of charge.

Dict. & Corr. by me

Additional Sessions Judge, 1st Court,
& Judge, Special Court (NDPS Act)
Jhargram.

Additional Sessions Judge, 1st Court,
& Judge, Special Court (NDPS Act)
Jhargram.