

Order No. 8

dated 28.02.2025

Today is fixed for production and IO's report.

Accused Arun Barman and Mintu Barman are produced from J.C. and remanded to further J.C. till 12.03.2025.

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

Two bail petitions are filed on behalf of the above accused persons praying for bail on the ground stated therein.

Now the bail petitions filed today on behalf of the above accused are taken up for hearing.

Heard both sides.

Copy served.

It is submitted by the Ld. Advocate for the above accused persons that they have been falsely implicated in this case and have no nexus with this case and have their respective permanent residence in the locality and if on bail they will not be absconded. So, they may be granted bail in any terms and conditions.

On the contrary, Ld. PP in charge opposes the bail prayer considering the nature of the offence where huge quantity of narcotic substances has been seized from the possession of the accused persons and the case is at initial stage of investigation.

Having heard the submission of both sides and on perusal of the case record I find that altogether 50 bottles of Phensedyl Cough Syrup like substance (NDPS substance) have been seized which is commercial quantity in nature 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 them for the offence u/s 21(C)/29 of the NDPS Act. Moreover, the case is initial stage of investigation and therefore the bail prayer of the above accused persons may not be allowed.

Considering all aspects and nature of offence, I am not inclined to enlarge accused on bail. Hence prayer for bail in respect of accused Arun Barman and Mintu Barman stands rejected.

Hence both the bail petitions are disposed of.

To 12.03.2025 for production and I.O.'s report.

Dictated & Corrected by,

Addl. Sessions Judge, 1st Court,

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(NDPS) Cooch Behar.

(NDPS) Cooch Behar.
JO Code No. WB00654