

NDPS Case No. 34 of 2026

Present : Sri Anirban Das
Additional Sessions Judge,
1st Court, (NDPS), Cooch Behar.
JO Code No. WB00691

Order No. 6
dated 11.02.2026

Accused Nil Kamal Byapari, Kiriti Sarkar, Satyaranjan Sarkar, Subal Chandra Biswas and Sushanta Sarkar are produced from J/C through V/C and remanded to J.C. till next date.

Ld. Special PP for NCB and Ld. Advocate for the accused persons are present.

A bail petition is filed on behalf of the above accused persons by their Ld. Advocate praying for bail on the ground stated therein.

Copy served.

Ld. Special PP for NCB and Ld. Advocate for the accused persons are present.

Now the bail petition filed today on behalf of the above accused persons is 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 also have his permanent residence in the locality and if on bail will not be abscond. So, they may be granted bail in any terms and conditions. He further submits that necessary direction may be given to the Jail Authority for medical treatment of accused Nil Kamal Byapari who is suffering from chest pain.

Ld. Special PP for NCB opposes the bail prayer considering the nature of the offence where huge quantity of suspected to be ganja have been seized from the possession of the accused persons which is commercial quantity in nature and the case is at initial stage of investigation.

Perused the materials on record and heard the submissions.

Having heard the submission of both sides and on perusal of the case diary I find that about 758.5 kg (gross) greenish flowering and fruiting tops of cannabis plant believed to be Ganja have been seized from the house of the accused persons which is commercial in nature for which no such benefit could have been extended to them in view of section 37 of NDPS Act in this regard. Moreover, there are sufficient incriminating materials against the above accused for the offence u/s 8(c) r/w 20(b)(ii) (C)/29 of the NDPS Act and the case is initial stage of investigation. Therefore the bail prayer of the above accused persons may not be allowed.

Considering all aspects and nature of offence as well as initial stage of investigation, I am not inclined to enlarge accused on bail. Hence prayer for bail in respect of accused Nil Kamal Byapari, Kiriti Sarkar, Satyaranjan Sarkar, Subal Chandra Biswas and Sushanta Sarkar stands rejected.

To 24.04.2026 for production and I.O.'s report.

Dictated & Corrected by,

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

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(NDPS) Cooch Behar.