

In the Court of the Ld. Additional Sessions Judge, 1<sup>st</sup> Court (NDPS), Cooch Behar

Bail Petition No. 217 of 2026

(In connection with Sahebganj PS Case No. 153/2025 dated 20.03.2025)

Present : Sri Nirvan Khesong  
Ld. District & Sessions Judge,  
Cooch Behar  
JO Code No. WB00662  
In-Charge of  
The Addl. Sessions Judge, 1<sup>st</sup> Court,  
(NDPS) Cooch Behar.

Alemul Hoque Sarkar @ Alemul Haq Sarkar

Vs.  
State of West Bengal.

Order No. 3  
dated 13.03.2026

Today is fixed for hearing of the application u/s 482 of BNSS, 2023

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

CD and original record being NDPS Case No. 100 of 2025 are produced.

Now the present bail petition is taken up for hearing.

Heard and considered.

It is submitted by the Ld. Advocate for the petitioner that the present petitioner has been falsely implicated in this case as nothing was recovered from his possession. He further submits that the present petitioner may be apprehended by the police in connection with this case. Therefore, the petitioner may be granted bail in any terms and conditions.

It is further submitted by Ld. Advocate for the above petitioner mentioned in his application supported by filing an affidavit that no such bail application has been filed or pending before the Hon'ble High Court or Hon'ble Circuit Bench of Jalpaiguri or any other Superior Court in connection with this case.

On the contrary Ld. PP in charge opposes the bail application under section 482 of BNSS, 2023 considering the nature of offence. He further submits that this accused/petitioner is the owner of the vehicle from which the narcotic substances have been seized and there are sufficient incriminating materials against the above petitioner whose involvement in this case appears in the case diary. Moreover, charge-sheet u/s 21C)/22(C)/29 of The NDPS Act has been submitted against this accused persons including this accused person in this case. Therefore, the prayer for anticipatory bail of the above petitioner shall not be granted.

Perused the case diary, original case record in NDPS Case No. 100 of 2025 and submissions.

Having heard the submission of the both sides and on perusal of the case diary and original case record, I find that this accused / petitioner is the owner of the motor-cycle which was used for carrying narcotic drugs and psychotropic substances at the time of

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Contd....dated 13.03.2026

offence and at the time of incident the motor-cycle was without having number plate which shows that the involvement of this accused person in the commission of offence. Moreover, the record also shows that this accused person had the knowledge about the use of his vehicle by the principal accused.

Considering the materials in the Case Diary and gravity of the offence, I am not inclined to allow the anticipatory bail application in favour of the accused/ petitioner.

Hence, it is

ORDERED

the instant anticipatory bail application under section 482 BNSS, 2023 being Bail Petition No. 217 of 2026 stands **rejected** and disposed of accordingly.

C.D. be returned.

Let a copy of this order be sent to the I.O. through O.C. Sahebganj PS for information and taking necessary action.

Let another copy of this order be kept with the original case record being NDPS Case No. 100 of 2025.

Dictated & Corrected by,

Sd/-

Addl. Sessions Judge, 1<sup>st</sup> Court,  
(NDPS) Cooch Behar.

Sd/-

Addl. Sessions Judge, 1<sup>st</sup> Court,  
(NDPS) Cooch Behar.