

NDPS Case No. 110 of 2024

Order No. 5

dated 03.01.2025

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

Accused Matiyar Rahaman and Saddam Hossain are produced from J/C through V.C. and remanded to further J/C till 16.01.2025.

Ld. PP in charge and Ld. Advocate for the accused are present.

An intimation along with a photocopy of prayer submitted before the Superintendent of Police, Cooch Behar regarding return of articles is submitted on behalf of the above accused Matiyar Rahaman.

Copy served. Seen. Let it be kept with the record.

Two separate bail petitions are filed on behalf of accused Matiyar Rahaman and one bail petition is filed on behalf of accused Saddam Hossain praying for bail on the ground stated therein.

Out of two bail petitions on behalf of accused Matiyar Rahaman, one bail petition has been subsequently rejected being not pressed.

ORDER REGARDING BAIL PETITIONS

Now the two bail petitions are taken up together for hearing.

Heard both sides.

Perused the materials on record and submission.

It is submitted by the Ld. Advocate for the above accused persons that they have been falsely implicated in this case and have permanent residence in the locality and they will not abscond if granted bail in their favour. So, they may be granted bail in any terms and conditions.

Ld. PP in charge opposes the bail prayer of the accused considering the nature of the offence and early stage of investigation.

Perused the case record and submission.

On perusal of the case record it appears that where as per written complaint more than 22 kg of ganja like substance (narcotic substances) has allegedly been seized from the possession of accused persons for which this case u/s 20(b)(ii)(C)/27(A)/29 of the NDPS Act has been initiated against the accused persons. Apart from that there are sufficient incriminating materials against the accused persons and that investigation is in progress. Moreover, CD is not available as reported by the prosecution and therefore without perusing the case diary it would not wise to consider the bail petition.

Accordingly I am not inclined to enlarge accused on bail. Hence prayer for bail in respect of accused Matiyar Rahaman and Saddam Hossain stands rejected.

All the three bail petitions are hereby disposed of.

To 16.01.2025 for production and I.O.'s report.

Dictated & Corrected by,

Sd/-

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

Sd/-

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(NDPS) Cooch Behar