

NDPS Case No. 14 of 2025

(Arising out of Kotwali PS Case No. 286/2025 dated 19.03.2025)

Present : Sri Rajesh Tamang,
Ld. Addl. Dist. & Sess. Judge,
Mathabhanga
JO Code : WB00757
In-Charge of
The Addl. Sessions Judge, 1st Court,
(NDPS) Cooch Behar.

Order No. 7
dated 07.05.2025

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

Accused Shakti Nath Bhowmik, Rajat Kanti Chowdhury, Sanju Bhowmik and Madan Sen are produced from J.C. through V.C. and remanded to further J/C till next date.

Received one compact pen drive in a closed envelope, section 63(4)(c) part A with Hash value in connection with this case. Let it be kept with the record.

A bail petition is filed on behalf of above accused persons praying for bail on the ground as stated therein.

Copy served.

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

Now the bail petition is taken up for hearing.

Heard both sides.

Perused the materials on record and submission.

It is submitted by the Ld. Advocate for the 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.

Ld. PP in charge opposes the bail prayer considering the nature of the offence and the investigation is going on.

Perused the CD and materials on record.

Having heard the submission of both sides and on perusal of the case record I find that this is a case u/s 20(b)(ii)(C)/25/29 of the NDPS Act as huge quantity of narcotic substances have been allegedly recovered from the possession of the accused Shakti Nath Bhowmik, Sanju Bhowmik and Madan Sen which is commercial quantity in nature for which no such benefit could have been extended to them in view of section 37 of NDPS Act in this regard and there are sufficient incriminating materials against these accused persons. Moreover the investigation is in progress and therefore the bail prayer of the accused Shakti Nath Bhowmik, Sanju Bhowmik and Madan Sen may not be allowed.

Under the above circumstances and considering the nature of offence, I am not inclined to enlarge accused Shakti Nath Bhowmik, Sanju Bhowmik and Madan Sen on bail. Hence prayer for bail in respect of accused Shakti Nath Bhowmik, Sanju Bhowmik and Madan Sen stands rejected.

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Having heard the submission of both sides and on perusal of the case record it further appears that the accused persons of this case including this accused Rajat Kanti Chowdhury have been arrested by the police of Kotwali PS on 19.03.2025 and brought before this Court on 20.03.2025 and since then said accused is in custody but on perusal of the Case docket, this court finds that there is no prima facie involvement of the accused Rajat Kanti Chowdhury in this case. Therefore, I am of the considered view that further detention of the accused is not required and the bail prayer of the above accused Rajat Kanti Chowdhury may be allowed.

Considering all aspects and submissions, this court is inclined to enlarge the accused Rajat Kanti Chowdhury on bail on certain conditions. Hence, the prayer for bail in respect of Rajat Kanti Chowdhury is allowed.

Accordingly accused **Rajat Kanti Chowdhury** shall be released on bail on furnishing bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of Rs. 10,000/- (rupees ten thousand) each subject to the satisfaction of Ld. CJM., Cooch Behar.

The bail petition is thus disposed of.

To 21.05.2025 for production and evidence.

Let a copy of this order be sent to the Ld. CJM, Cooch Behar for information and taking necessary action.

Dictated & Corrected by,

Sd/-

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

Sd/-

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