

Order No. 04

Dt. 04.5.23.

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

Accused persons namely Biswajit Sarkar, Nikhil Sarkar and Ram Jiban Sarkar who are in jail custody are produced before court today. I.O.'s report is not filed today. Let the accused persons be remanded back to J.C. till the next date.

One bail petition is filed today on behalf of the accused persons which is now taken up for hearing and order in presence of both the sides.

Ld. Advocate for the accused persons submits that the said accused persons are innocent and have been falsely implicated in this case. He prayed for bail of the accused petitioners under any terms and conditions.

Ld. P.P. raised strong objection to the said prayer for bail of the accused persons.

Heard both the sides. Considered.

It appears from the materials in the C.D. that accused persons are prima facie liable of having committed the offence u/s 20(b)(ii)(C) of the NDPS Act relating to possession of Ganja of commercial quantity without any supporting document which is a grave offence. The investigation of this case is underway. Hence, considering the above facts and circumstances and nature and gravity of the offence alleged to have been committed by the petitioners, I am not inclined to enlarge the accused persons on bail at this stage. Hence, prayer for bail is considered and rejected.

To 17.5.23 for production and I.O.'s report.

Dictated & Corrected by,

Sd/-

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

Sd/-

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Cooch Behar, (NDPS).