

NDPS Case No. 25 of 2025

(Arising out of PTN Case No. WBCB01P0001932025)

Present : Smt. Mandakranta Saha

Ld. Judge Special Court (EC) Act -cum-
Additional District & Sessions Judge, 2nd Court,
Cooch Behar, JO Code No. WB00825
In-Charge of
The Addl. Sessions Judge, 1st Court,
(NDPS) Cooch Behar.

Order No. 16
dated 15.07.2025

Record is put up today.

Accused Basi Nath Sarkar and Ranjan Biswas are in J.C. till 29.07.2025.

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

A bail petition is filed on behalf of accused Basi Nath Sarkar praying for bail on the ground as stated therein.

Copy served.

Now the bail petition is taken up for hearing.

Heard both sides.

It is submitted by the Ld. Advocate for the accused Basi Nath Sarkar that he has been falsely implicated in this case and has permanent residence in the locality and he will not abscond if bail is granted in his favour. So, he 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 initial stage of investigation.

Perused the materials on record and submission.

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 substance like Ganja have been allegedly recovered from the possession of the accused persons 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 the accused person. Moreover charge-sheet has already been submitted against both the accused persons and therefore the bail prayer of the accused may not be allowed.

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

Ld. Regular P.O. is on leave.

Todate (29.07.2025) for production and consideration of charge.

Dictated & Corrected by,

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

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