

WBCB010017282025



NDPS Case No. 39 of 2025

Present : Sri Anirban Das  
Additional Sessions Judge,  
1<sup>st</sup> Court, (NDPS), Cooch Behar.  
JO Code No. WB00691

Order No. 12

dated 07.04.2026

Record is put up today on the strength of put up petition along with a petition for bail on behalf of custody accused Ashadul Mandal @ Pacha.

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 Ashadul Mandal @ Pacha 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 as it is commercial quantity in nature and the investigating has already ended in charge-sheet in this case.

Having heard the submission of both sides and materials on record I find that this is a case u/s 21(C) of the NDPS Act and investigation in this case has already ended in charge-sheet. The nature of offence is grievous as the huge quantity of narcotic substances (50 bottles of Phensedyl cough syrup) has allegedly been seized from the accused person which is commercial quantity in nature for which no such benefit could have been extended to him in view of provision of section 37 of NDPS Act in this regard. Moreover, after framing of charge out of eight prosecution witnesses, four witnesses have already examined as PW1 to PW4 and if the above accused is enlarged on bail at this stage, there will be every chance of hampering the trial of this case. Therefore the bail prayer of the above accused may not be allowed.

Considering all aspects and nature of offence, I am not inclined to enlarge accused on bail. Hence prayer for bail in respect of accused Ashadul Mandal @ Pacha stands rejected.

Todate (19.05.2026 and 20.05.2026) for evidence as per schedule.

Dictated & Corrected by,

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

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