

NDPS Case No. 40 of 2025
(Arising out of Sitai P.S. Case No. 73/2025 dated 02.04.2025)

Order No. 16
dated 14.11.2025

Today is fixed for production and ER of WA.

Accused Sarada Mohan Roy is produced from J.C. through V.C. and remanded to further J.C. till next date.

In compliance of earlier order and on the basis of production warrant accused Tahir @ Taher Miya is produced from Cooch Behar District Correctional Home for hearing of shown-arrest prayer submitted by the Warrant Officer.

Warrant Officer ASI Pronab Kr. Roy of Sitai P.S. is appeared and prays for allowing his prayer for shown-arrest of accused Tahir @ Taher Miya as WA against him is pending.

Heard. Considered. The prayer for shown-arrest is allowed.

A bail petition is filed on behalf of accused Tahir @ Taher Miya by Ld. Remand Advocate from DLSA, Cooch Behar praying for bail on the ground stated therein.

No bail petition is filed on behalf of another accused Saroda Mohan Roy as submitted by his Ld. Advocate.

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.

It is submitted by the Ld. Remand Advocate for the accused Tahir @ Taher Miya that he has been falsely implicated in this case and has permanent residences in the locality and will not abscond if granted bail in his favour. So, he may be granted bail in any terms and conditions.

Ld. PP in charge oppose the bail prayer considering the nature of the offence where huge quantity of narcotic substances were seized and charge-sheet has already been submitted.

Perused the materials on record, case diary and submission.

Having heard the submission of both sides and on perusal of the case record I find that huge quantity of narcotic substances (9.5 kgs of Ganja and 160 number of bottles of Phensedyl cough syrup) have allegedly been recovered in this case which commercial quantity in nature for which no such benefit could have been extended to him in view of section 37 of NDPS Act in this regard and there are sufficient incriminating materials against the accused person u/s 21(C)/20(b)(ii)(B)/29 of the NDPS Act. Moreover, charge-sheet has already been submitted in this case. Therefore the bail prayer of the above accused person may not be allowed.

Under the above circumstances and considering the nature of offence, I am not inclined to enlarge accused on bail at this stage. Hence prayer for bail in respect of accused Tahir @ Taher Miya stands rejected.

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No ER of non-bailabl WA in respect of remaining absconding accused Rabin @ Rabindra Nath Baman, Sirajil @ Sirajul Mia and Bishnu Barman is received.

Accordingly, I.C. Sitai P.S. is directed to execute the non-bailable warrant of arrest pending against above three accused persons by the date fixed positively.

To 27.11.2025 for production and ER of WA.

Let a copy of this order be sent to the I.C. Sitai P.S. for information and taking necessary action.

Dictated & Corrected by,

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

Addl. Sessions Judge, 1st Court,
(NDPS) Cooch Behar.
JO Code No. WB00654