

NDPS Case No. 46 of 2025

Present : Mukul Kumar Kundu
Additional Sessions Judge,
1st Court, (NDPS), Cooch Behar.
JO Code No. WB00654

Order No. 21
dated 02.08.2025

Today is fixed for production, SR and supply of copy.

Accused Partha Barman, Bappa Barman and Sampat Roy are produced physically from J.C. and remanded to further J/C till next date.

No SR of accused Ayub Ali Mia is received.

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

A bail petition is filed on behalf of accused Sampat Roy praying for bail on the ground stated therein. No bail petition is filed on behalf of accused Partha Barman and Bappa Barman as submitted by their Ld. Advocate.

Copy served.

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

Now the bail petition filed today is taken up for hearing.

Heard both sides.

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

Ld. PP in charge opposes the bail prayer considering the nature of the offence and the charge-sheet has already been submitted.

Perused the submission and materials on record.

Having heard the submission of both sides and on perusal of the case record, I find that huge quantity of narcotic substances have have allegedly been recovered from the possession of the accused persons which is 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 this accused person u/s 20(b)(ii)(C)/25/28/29 of the NDPS Act. Moreover, charge-sheet has already been submitted. Therefore the bail prayer of the above accused persons may not be allowed.

Considering all aspects and nature of offence, I am not inclined to enlarge accused on bail at this stage. Hence prayer for bail in respect of accused Sampat Roy stands rejected.

Ld. Advocates of the Local Bar association are abstained from Judicial work today vide resolution dated 21.07.2025 due to the sad demise of Ld. Advocate Krishna Kamal Saha.

Copies are ready and supplied to accused Partha Barman, Bappa Barman and Sampat Roy.

As per order dated 14.07.2025, notice has not been issued upon absconded accused Ayub Ali Mia. However, issue the notice upon accused Ayub Ali Mia at once.

BC-II to comply.

To 21.08.2025 for production and SR.

Dictated & Corrected by,

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

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