

NDPS Case No. 46 of 2025

(Arising out of Pundibari PS Case No. 61 of 2025 dated 19.01.2025)

Order No. 25

dated 29.11.2025

Today is fixed for production and E/R.

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

NER of WA in respect of accused Ayub Ali Mia is received from SI Kuldip Singh of Pundibari PS intimating that WA could not be executed due to absent in his house.

Seen the intimation of Warrant Officer. However, in order to expeditious the proceeding let Proclamation for the accused Ayub Ali Mia be issued as per provision of section 84 of BNSS at once.

Ld. PP in charge and the Ld. Remand Advocate of DLSA, Cooch Behar for the above three custody accused persons are present.

A bail petition is filed by Ld. Remand Advocate of DLSA, Cooch Behar on behalf of custody accused persons praying for bail on the ground stated therein.

Copy served.

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

Heard both sides.

It is submitted by the Ld. Remand Advocate of DLSA, Cooch Behar for custody accused persons that they are in custody since long and have permanent residences in the locality and will not abscond if bail granted in their favour. So, they may be granted bail in any terms and conditions.

Ld. PP in charge opposes the bail prayer considering the nature of the offence and if the accused persons are released on bail there is every chance of hampering the trial of this case where 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 in this case charge-sheet u/s 20(b)(ii)(C)/25/28/29 of the NDPS Act has already been submitted against four accused persons including above custody accused persons where huge quantity of narcotic substances have have allegedly been recovered 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. Moreover, there are sufficient incriminating materials against these accused persons for the offence u/s 20(b)(ii)(C)/25/28/29 of the NDPS Act and 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 persons on bail at this stage. Hence prayer for bail in respect of accused Partha Barman, Bappa Barman and Sampat Roy stands rejected.

As the accused persons have no permanent lawyer to conduct the case let the matter be intimated to the Ld. Secretary, DLSA, Cooch Behar for engaging a DLSA Panel Advocate for the above custody accused persons.

BC-II to comply at once.

To 03.01.2026 for production and proclamation report.

Let a copy of this order be sent to Ld. Secretary, DLSA, Cooch Behar and to the OC Pundibari PS 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