

NDPS Case No. 46 of 2025

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

Order No. 28  
dated 03.01.2026

Today is fixed for appearance and proclamation report.

Accused Sampad Roy @ Sampat Roy is produced from J.C. through V.C. and remanded to further J.C. till next date.

Remaining accused persons namely Partha Barman and Bappa Barman on court bail are present by filing hazira.

A fresh Vakalatnama is filed on behalf of accused Partha Barman and Bappa Barman. Let it be kept with the record.

Sri Dulal Ch. Dey, Ld. Panel Advocate of DLSA Cooch Behar, submits photocopy of appointment on behalf of accused Sampad Roy @ Sampat Roy and also submits a bail petition praying for bail for accused Sampad Roy @ Sampat Roy on the ground as stated therein.

Copy served.

Ld. PP in charge and the Ld. Lawyer of the accused Partha Barman and Bappa Barman and Ld. Panel Advocate for accused Sampad Roy @ Sampat Roy are present.

It is submitted by the Ld. DLSA Panel 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.

Execution report of proclamation upon accused Ayub Ali is received from SI Basan Murmu of Pundibari PS wherein it has been stated that till date the Warrant of Arrest against accused Ayub Ali could not be executed. As one of the accused is languishing in custody, issue attachment of property against accused Ayub Ali as per provision of section 85 of BNSS, 2023.

BC-II is directed to do the needful.

To 10.02.2026 for production/ appearance and attachment report.

Dictated & Corrected by,

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

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Cooch Behar, (NDPS).  
JO Code No. WB00654