

NDPS Case No. 42 of 2024

Order No. 19
dated 20.12.2024

Today is fixed for production, I.O.'s report and CD.

Accused Sumit Mishra, Labkush Kaul, Sanjay Kr. Patel and Kushal Singh are produced from J.C. and remanded to J.C. till 03.01.2025.

A bail petition is filed on behalf of accused Sumit Mishra, Labkush Kaul and Sanjay Kr. Patel praying for bail on the ground stated therein. No bail petition is filed on behalf of accused Kushal Singh.

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 Ld. Advocate for the above three accused persons that they have been been falsely implicated in this case and were not involved in any way about the alleged incident. So they may be granted bail in any terms and conditions.

Ld. PP in charge oppose the bail prayer considering the nature of offences and early stage of investigation and case diary is not available.

Having heard the submissions of both sides and considering the nature of offence u/s 21(C)/25/29 of The NDPS Act, I find that the case at the stage of investigation and there are prima facie materials against the accused persons. Moreover, the case diary is not available as report by the prosecution. Therefore the bail prayer of the above accused Sumit Mishra, Labkush Kaul and Sanjay Kr. Patel may not be allowed.

Considering all aspects and nature of offence, I am not inclined to enlarge the three accused persons on bail. Hence prayer for bail in respect of accused Sumit Mishra, Labkush Kaul and Sanjay Kr. Patel stands rejected.

Let a case diary be called for.

To 03.01.2025 for production all four accused, I.O.'s report and C.D.

Dictated & Corrected by,

Sd/-

Sd/-

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

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(NDPS) Cooch Behar, .