

In the Court of Addl. Sessions Judge, 1st Court,

NDPS Case No. 46 of 2024

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

Order No. 9

dated 25.09.2024

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

Accused Majdul Miya @ Majidul Miya and Hamidul Rahaman are produced from J.C. and remanded to further J.C till 01.10.2024.

CD is produced.

Two bail petitions are filed on behalf of aforesaid two accused persons praying for bail on the ground stated therein.

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

Now both the bail petitions are taken up for hearing.

Heard both sides.

It is submitted by the Ld. Advocate for the accused persons that accused Hamidul Rahaman is not the owner of the vehicle as no document has been submitted or collected by the I.O. so he may be granted bail in any terms and condition.

On the contrary it submitted by the Ld. Advocate for the accused Majdul Miya @ Majidul Miya that he is falsely implicated in this case and he may be granted bail in any terms and condition.

Ld. PP in charge submits that huge quantity of cough syrup have been seized which is a commercial quantity and opposed the bail prayers in respect of both the accused persons.

Perused the materials on record and submission.

Having heard the submission of both sides and materials on record I find that this is a case u/s 21(c)/29 of The NDPS Act and investigation is in progress. It also appears that total 498, 197 and 212 bottles of Eskuf cough syrup were recovered and seized from the respective seized sacks which is in total above commercial quantity and there is sufficient incriminating materials against the accused persons and therefore the bail prayer of the 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 Majdul Mia @ Majidul Mia and Hamidul Rahaman stands rejected.

Let a case diary be called for further from the I.O.

To 01.10.2024 for production, I.O.'s report and CD.

Dictated & Corrected by,

Sd/-

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

Sd/-

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