

Order No. 03 dt. 30.8.24

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

Accused person namely Sanatan Barman is produced from J.C. today. I.O.'s report is not found filed in the record. The accused person is now remanded back to J.C. till the next date fixed in this case.

One bail petition filed today on behalf of the accused person is now taken up for hearing and order.

Ld. Advocate for the accused person submitted that the accused person is innocent and has been falsely implicated in this case. He submitted that the F.I.R. has been lodged after a delay of more than 24 hours after apprehension of the accused person and that the grounds of arrest were not communicated to him at the time of his arrest. He prayed for bail for the accused petitioner under any terms and conditions.

Ld. P.P. In-charge raised objection to the said prayer for bail.

Heard both the sides. Perused the petition and the record. Considered.

It appears from the materials in the C.D. that accused person is prima facie liable of having committed the offence relating to carrying of commercial quantity of manufactured drug without any supporting document which is a grave offence. The investigation is at an early stage and the grounds agitated by the ld defence Advocate today are insufficient to hold that the accused person is not guilty at this stage, thus failing to rebut the statutory limitation of grant of bail given in sec. 37 of the Act. Hence, considering the above facts and circumstances and nature and gravity of the offence alleged to have been committed by the petitioner, I am not inclined to enlarge the accused person on bail at this stage. Hence, prayer for bail is considered and rejected.

To 12.9.24 for production and I.O.'s report.

Dictated & Corrected by,

Sd/-

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

Sd/-

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

