

NDPS Case No. 68 of 2018

ST No. 02(09)2024

Present : Sri Mukul Kumar Kundu

Additional Dist & Sessions Judge,
1st Court, Sadar, Cooch Behar.
JO Code No. WB00654,

Order No. 50

Dated 20.01.2025

Record is put up today.

A bail petition is filed on behalf of the accused Jakir Hossain praying for bail on the ground stated therein.

Copy served.

Now the bail petition is taken up for hearing.

Heard both sides.

It is submitted by the Ld. Advocate for the accused that he has been falsely implicated in this case and has a permanent residence in the locality. So, he may be granted bail in any terms and conditions.

On the contrary Ld. PP in charge oppose the bail prayer considering the nature of offence when huge quantity of Phensedyl cough syrup have been seized which is commercial quantity. He further submits that after framing charge u/s 21(C)/25/29 of the NDPS Act four witnesses have already been examined and if the accused is released on bail at this stage there is every chance of hampering the trial of the case.

Perused the materials on record and submission.

Having heard the submission of both sides and on perusal of the case diary I find that 5000 number of Phensedyl cough syrup were recovered which appears to be commercial quantity from the house of the accused persons for which no such benefit could have been extended to them in view of section 37 of NDPS Act in this regard. Apart from that evidence has already been started while four witnesses have been examined and remaining witnesses are yet to be examined. In this situation if the accused is released on bail, there is every chance of hampering the trial of the case when the case relates to grievous nature of offence u/s 21(C)/25/29 of the NDPS Act and therefore the bail prayer of the above accused may not be allowed.

Considering all aspects and grievous nature of offence as well as stage of the trial, I am not inclined to enlarge accused on bail. Hence the prayer for bail in respect of accused Jakir Hossain stands rejected.

Todate (17.02.2025 and 18.02.2025) for evidence.

Dictated & Corrected by,

Sd/-

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

Sd/-

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(NDPS) Cooch Behar