

NDPS Case No. 91 of 2025

Order No. 14
dated 10.09.2025

Today is fixed for production hearing regarding the discharge prayer of the I.O. of accused persons.

Accused Rabiul Rahaman is produced from J.C. through V.C. and remanded to further J/C till next date.

In compliance of earlier order, a report along with report of Part Time Contractual Pharmacist, Cooch Behar Correctional Home with regard to UTP Rabiul Rahaman is received from the Superintendent of Cooch Behar District Correctional Home wherein it has been stated that "He is under medication"

Seen. Let it be kept with the record.

SR is received which was duly served.

The Superintendent Cooch Behar District Correctional Home is directed to submit medical report of UTP Rabiul Rahaman time to time.

Ld. PP in charge and Ld. Advocate for the accused person are present.

A bail petition is filed on behalf of above accused Rabiul Rahman praying for bail on the ground as stated therein.

Copy served.

In response to notice, the defacto complainant Hasbans AC Coy Commander, BSF has appeared by filing a petition praying for objection against the discharge prayer of eleven accused persons submitted by I.O. in the charge-sheet as I.O. did not investigate the case properly.

Ld. PP in charge submits a date may be fixed as CD is not available.

Let a date be fixed for hearing the matter as CD is not available today and issue notice upon defacto complainant further before the court on the date fixed.

Now the bail petition is taken up for hearing.

Heard both sides.

It is submitted by the Ld. Advocate for the above accused person that he has been falsely implicated in this case and have permanent residence in the locality and he will not abscond if granted bail in his favour. So, he may be granted bail in any terms and conditions.

Ld. PP in charge opposes the bail prayer of the accused considering the nature of the offence and charge-sheet has already been submitted.

Perused the materials on record and submission.

Perused the materials on record, case diary and submission.

Having heard the submission of both sides and on perusal of the case diary I find that huge quantity of narcotic substance has allegedly been recovered in this case 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. Moreover the charge-sheet has already been submitted and there are sufficient incriminating materials against the accused person for the offence u/s 221/224 of BNS r/w section 21(C) of the NDPS Act. Therefore the bail prayer of the above accused person may not be allowed.

Considering all aspects and grievous nature of offence as well as early stage of investigation, I am not inclined to enlarge accused person on bail at this stage. Hence prayer for bail in respect of accused Rabiul Rahman stands rejected.

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Copies are ready but could not supply to the accused Rabiul Rahaman as he was produced through V.C.

To 22.09.2025 for physical production and copy and hearing of the discharge prayer made by the I.O.

Let a CD be called for.

Dictated & Corrected by,

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

Addl. Sessions Judge, 1st Court,
(NDPS) Cooch Behar.
JO Code No. WB00654