

NDPS Case No. 64 of 2024

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

Order No. 5

dated 05.10.2024

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

Accused Anarul Miah is produced from J.C. and remanded to further J.C till 18.10.2024/ 31.10.2024/ 12.11.2024 on account of ensuing Puja vacation started from 09.10.2024 to 03.11.2024.

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

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

Copy served. C.D. produced.

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.

Perused the materials on record and submission.

Having heard the submission of both sides and materials on record as well as case diary I find that this is a case u/s 20(b)(ii)(C) of the NDPS Act and there is sufficient incriminating materials for the alleged offence where about 42 kg of ganja has been seized which is appeared to be commercial quantity and no such benefit could have been extended to him in view of section 37 of NDPS Act in this regard. Apart from that investigation is in progress as final report has not yet been submitted. Therefore, the bail prayer of the above accused persons may not be allowed.

Considering all aspects and grievous nature of offence, I am not inclined to enlarge accused on bail at this stage. Hence prayer for bail in respect of accused Anarul Miah stands rejected.

Let the case diary be returned.

To 18.10.2024/ 31.10.2024/ 12.11.2024 for production and I.O.'s report.

Dictated & Corrected by,

Sd/-

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

Sd/-

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(NDPS) Cooch Behar.