

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

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. 7

dated 22.11.2024

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

Accused Anarul Miah is produced from J.C. and remanded to further J.C till 05.12.2024.

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.

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. He also submits that the alleged vehicle from which the alleged seizure has been done does not belong to this accused person. 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 and also submits that the concerned I.O. may directed to submit ownership document of the seized vehicle from where seizure in this case was done.

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 20(b)(ii) (C) of the NDPS Act and there are sufficient incriminating materials for the alleged offence where about 42 kg of ganja as reported by prosecution, appears to be commercial in nature, has been seized which was carrying by the above accused and no such benefit could have been extended to him in view of section 37 of NDPS Act in this regard. Apart from that CD is not available and therefore without perusing the case diary it would not be wise to consider the bail petition.

Considering all aspects and without perusing the case diary, I am not inclined to enlarge accused on bail at this stage. Hence prayer for bail in respect of accused Anarul Miah stands rejected.

I.O. SI Asraf Alam of Dinhata PS is directed to appear before this Court on 05.12.2024 along with case diary and ownership document of the seized vehicle in connection with this case positively.

To 05.12.2024 for production, I.O.'s report and CD.

Let a copy of this order be sent to the I.C. Dinhata PS Cooch Behar with a direction to inform thte I.O. for strict compliance.

Dictated & Corrected by,

Sd/-

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

Sd/-

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