

Order No. 13

dated 12.03.2025

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

Out of two accused persons, one accused namely Saddam Hossain is produced from J/C through V.C. and remanded to further J/C till next date.

Remaining accused Matiyar @ Matiar Rahaman on court bail is present by filing hazira.

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

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

Copy served.

CD is not produced.

Now the two bail petition is taken up for hearing.

Heard both sides.

Perused the materials on record and submission.

It is submitted by the Ld. Advocate for the above accused Saddam Hossain that he has been falsely implicated in this case and has permanent residence in the locality and he will not abscond if granted bail in his favour. He further submits that co-accused person is on bail as per order of the Hon'ble High Court . 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 is commercial quantity and investigation is in progress.

On perusal of the case record it appears that huge quantity of ganja like substance have allegedly been seized in this case for which this case u/s 20(b)(ii)(C)/27(A)/29 of the NDPS Act has been initiated against the accused person which is commercial quantity in nature and no such benefit could have been extended to him in view of section 37 of NDPS Act in this regard. Apart from that there are sufficient incriminating materials against the accused person and that investigation is in progress. So, the bail prayer of the above accused may not be allowed.

Considering all aspects and nature of offence, I am not inclined to enlarge accused on bail. Hence prayer for bail in respect of accused Saddam Hossain stands rejected.

Let a CD be called for.

To 26.03.2025 for production and I.O.'s report.

Dictated & Corrected by,

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

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(NDPS) Cooch Behar.
JO Code No. WB00654