

NDPS Case No. 69 of 2024

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

Order No. 03

dated 05.10.2024

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

Accused Deldar Mia is produced from J.C. and remanded to further J.C till 18.10.2024/
31.10.2024/11.11.2024 on account of ensuing Puja vacation started from 09.10.2024 to 03.11.2024.

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

Copy served. C.D. is produced.

Now the bail petition is taken up for hearing.

Heard both sides.

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

It is submitted by the Ld. Advocate for the accused that the accused has been falsely implicated in this case and is in custody since 26-09-2204. He further submits that he 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 vehemently oppose the bail prayer considering the grievous nature of offence when huge number of phensedyl ciugh syrup was recovered and seized which is commercial quantity.

Perused the materials on record, case diary 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 21(c) of the NDPS Act and there is sufficient incriminating materials for the alleged offence where about 2385 phensedyl cough syrup was seized which appears to be commercial quantity. Apart from that investigation is in progress as final report has not yet been submitted and therefore, the bail prayer of the accused may not be allowed.

Considering all aspects and nature of offence regarding commercial quantity of narcotic substance, I am not inclined to enlarge accused persons on bail at this stage. Hence prayer for bail in respect of accused Deldar Mia stands rejected.

To 18.10.2024/ 31.10.2024/ 11.11.2024 for production, I.O.'s report.

Dictated & Corrected by,

Sd/-

Addl. Sessions Judge, 1st Court,

(NDPS) Cooch Behar.

Sd/-

Addl. Sessions Judge, 1st Court,

(NDPS) Cooch Behar.