

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. 6
dated 20.11.2024

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 02.12.2024.

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

Copy served.

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 that 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 will not be abscond if on bail, 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 cough 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, I find that this is a case u/s 21(c) of the NDPS Act and there are sufficient incriminating materials for the alleged offence where about 2385 phensedyl cough syrup was seized which is commercial quantity in nature. Apart from that investigation is in progress and CD is not available as reported by the prosecution. Therefore without perusing the case diary it would not be wise to consider the bail petition.

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.

Let a case diary be called for.

To 02.12.2024 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.