

NDPS Case No. 69 of 2024

Order No. 8
dated 03.01.2025

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

Accused Deldar Mia is produced from J/C through V.C. and remanded to further J/C till 15.01.2025.

A bail petition is filed on behalf of above accused person 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. Advocates for the above accused person that he has been falsely implicated in this case and is the sole earning member of his family and he will not abscond if granted bail in his favour. Therefore, the accused person may be granted bail at any terms and conditions.

Ld. PP in charge opposes the bail prayer considering the grievous nature of offence when huge number of phensedyl cough syrup were recovered and seized which is commercial quantity and as investigation is going on.

Perused the case record and submission.

Having heard the submission and on perusal of the case record it appears this is a case under section 21(C) of the NDPS Act and about about 2385 number of phensedyl cough syrup bottles which is commercial quantity in nature have been seized from the possession of the accused person for which this case was initiated against him and there are sufficient incriminating materials for the alleged offence. Apart from that investigation is in early stage. Moreover, CD is not available as reported by the prosecution. Therefore without perusing the case diary it would not be wise to consider the bail petitions.

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

Let a CD be called for.

To 15.01.2025 for production of the accused from J.C. through V.C. and 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.
JO Code No. WB00654