

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.14
dated 03.03.2025

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

Accused Deldar Miya is produced from J.C through V.C and remanded to further J.C till 17.03.2025.

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

Copy served.

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

Now the 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 accused Deldar Miya that he has been falsely implicated in this case and has permanent residence in the locality and he will not abscond if bail is granted in his favour. 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 where huge quantity of narcotic substance have been seized from the possession of the accused person.

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 investigation is in progress. The nature of offence is grievous as the narcotic substances has allegedly been seized from the possession of 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 is sufficient incriminating materials against the accused person and therefore the bail prayer of the above accused may not be allowed.

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

To 17.03.2025 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.