

NDPS Case No. 101 of 2025

Present : Sri Nirvan Khesong
Ld. District & Sessions Judge,
Cooch Behar
JO Code No. WB00662
In-Charge of
The Addl. Sessions Judge, 1st Court,
(NDPS) Cooch Behar.

Order No. 34
dated 31.03.2026

Record is put up today on the strength of a put up petition along with a petition filed on behalf of custody accused Khairul @ Khayerul Islam praying for bail on the ground stated therein.

Copy served.

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

Now the bail petition is taken up for hearing.

Heard both sides.

It is submitted by the Ld. Advocate for the above accused person that he has no nexus with the alleged offence and have been falsely implicated in this case and will not abscond if granted bail in his favour. So, he may be granted bail in any terms and conditions.

Ld. PP in charge opposes the bail prayer considering the nature of the offence where huge quantity of narcotic substances has been seized and charge-sheet has already been submitted in this case.

Perused the materials on record, case record and submission.

Having heard the submission of both sides and on perusal of the case record I find that huge quantity of narcotic substance has allegedly been recovered and seized in this case. Since the seized narcotic substance is commercial quantity in nature for which no such benefit could be extended to him in view of section 37 of NDPS Act in this regard. Moreover, the charge-sheet u/s 21(C)/22(C)/25/29 of the NDPS Act of the NDPS Act has already been submitted in this case after completion of investigation.

Considering recovery of commercial quantity of Narcotic substances and gravity of offence, I am not inclined to enlarge accused person on bail at this stage. Hence prayer for bail in respect of accused Khairul @ Khayerul Islam stands **rejected**.

Todate (03.06.2026) for production, ER of WA and hearing of discharge prayer made by the I.O.

Dictated & Corrected by,

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

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