

NDPS Case No. 77 of 2024

Order No. 9

dated 06.12.2024

Record is put up today.

Accused **Bharat Barman** is produced from police custody through I.O. **SI Abhishek Mahato** of Pundibari PS after completion of police remand who is taken into custody and remanded to J.C. till 17.12.2024.

Received accused returning prayer of accused **Bharat Barman** after completion of three days police remand along with accused chalan and medical documents. Let the documents be kept with this case record.

I.O. SI Abhishek Mahato of Pundibari PS, Cooch Behar appears without CD.

A bail petition is filed today for the said accused **Bharat Barman** on the ground as 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 person that the accused person is innocent and has been falsely implicated in this case. He further submits that the accused will not be abscond if on bail. Therefore, the accused person may be granted bail at any terms and conditions.

Ld. PP in charge opposes the bail prayer of the accused considering the nature of the offence and early stage of investigation.

Perused the materials on record as well as the submission.

Having heard the submission of both sides and materials on record I find that this is a case u/s 20(b)(ii) (C)/25/29 of the NDPS Act and investigation is in progress. Moreover in this case as per written complaint huge quantity of ganja like substance have been seized which appears to be commercial quantity in nature. Apart from that investigation is in progress wherein it has been detected that present accused is smuggling the contraband articles. Moreover, CD is not available as reported by the prosecution. Therefore without perusing the case diary it would not wise to consider the bail petition.

Considering all aspects and grievous nature of offence, I am not inclined to enlarge accused on bail at this stage. Hence prayer for bail in respect of accused **Bharat Barman** stands rejected.

Todate (17.12.2024) for production and I.O.'s report.

Dictated & Corrected by,

Sd/-

Sd/-

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

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(NDPS) Cooch Behar.
JO Code No. WB00654,