

NDPS Case No. 77 of 2024

Order No. 10
dated 17.12.2024

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

Both the accused persons namely, Bharat Barman and Subhankar Mandal are produced before the court from J/C and further remanded to J.C. till 28.12.2024/06.01.2025 on account of ensuing Christmas vacation started from 25.12.2024 to 01.01.2025.

Seizure list dated 27.10.2024 and memory card containing video(s) kept in sealed cover with forwarding report and explanation of delay for submitting seizure list are received from I.O. SI Abhishek Mahato of Pundibari PS, Cooch Behar and the same be kept with the record.

Two separate bail petitions are filed today for the above mentioned two accused persons namely, Bharat Barman and Subhankar Mandal praying for bail on the ground as stated therein.

Copy served.

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

Now the bail petitions are taken up for hearing.

Heard both sides.

Perused the materials on record and submission.

It is submitted by the Ld advocate for the accused persons that they are innocent and have been falsely implicated in this case. He further submits that if the accused persons are enlarged on bail they will not flee away. Therefore, the accused persons may be granted bail at any terms and conditions.

Ld. PP in charge opposes the bail prayer of the accused persons 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 huge quantity of ganja like substance have been seized from the possession of the accused persons which appears to be commercial quantity in nature and CD is not available as reported by the prosecution. Therefore without perusing the case diary it would not wise to consider the bail petitions.

Considering all aspects and grievous nature of offence, I am not inclined to enlarge both the above mentioned accused persons on bail at this stage. Hence prayer for bail in respect of accused persons namely, Bharat Barman and Subhankar Mandal are rejected.

Let a C.D be called for.

To 28.12.2024/06.01.2025 for production 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