

NDPS Case No. 80 of 2024

Order No. 18

dated 26.03.2025

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

Accused Amit Kumar Roy, Biswajit Roy, Hriday Roy and Koushik Sarkar @ Biswa are produced from J.C. through V.C. and remanded to further J.C. till next date.

Accused Nitai Roy on court bail is present by filing hazira.

A bail petition is filed on behalf of accused Amit Kumar Roy and Biswajit Roy praying for bail on the ground stated therein.

Another bail petition is filed on behalf of accused Koushik Sarkar @ Biswa praying for bail on the ground stated therein. No bail petition is filed on behalf of remaining accused Hriday Roy.

Copy served.

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

Ld. Advocates on behalf of Koushik Sarkar @ Biswa , Amit Kumar Roy and Biswajit Roy are present by filing hazira.

Now the bail petition is taken up for hearing.

Heard both sides.

It is submitted by the Ld. Advocate for the above accused persons namely Koushik Sarkar @ Biswa , Amit Kumar Roy and Biswajit Roy that they have been falsely implicated in this case and have permanent residence in the locality and they will not abscond if granted bail in their favour. So, they 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 and case diary is not available.

Having heard the submission of both sides and materials on record I find that in this case 125 bottles of cough syrups (narcotic substances) which is commercial quantity in nature have allegedly been seized from the accused persons for which this case u/s 20(b)(ii)(C)/29 of the NDPS Act has been initiated against them for which no such benefit could have been extended to him in view of section 37 of NDPS Act in this regard and there are sufficient incriminating materials against them in this case. Apart from that investigation is going on and therefore the bail prayer of the above accused person may not be allowed.

Considering all aspects and nature of offence, I am not inclined to enlarge accused on bail at this stage. Hence prayer for bail in respect of accused Koushik Sarkar @ Biswa , Amit Kumar Roy and Biswajit Roy stands rejected.

To 07.04.2025 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.
JO Code No. WB00654