

NDPS Case No. 80 of 2024

Present : Mukul Kumar Kundu
Additional Sessions Judge,
1st Court, (NDPS), Cooch Behar.
JO Code No. WB00654,

Order No. 7
dated 21.12.2024

Today is fixed for production accused persons.

Accused Amit Kumar Roy, Biswajit Roy, Hriday Roy, Nitai Roy and Koushik Sarkar @ Biswa are produced from J.C. and remanded to further J.C. till 04.01.2025.

Two bail petition are filed on behalf of accused Koushik Sarkar @ Biswa and Hriday Roy praying for bail on the ground stated therein. No bail petition is filed on behalf of accused remaining three accused persons.

Copy served.

CD is not produced.

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

Now both the bail petitions are taken up together for hearing.

Heard both sides.

It is submitted by the Ld. Advocate for the above accused persons namely Koushik Sarkar @ Biswa and Hriday 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.

Perused the case record and submission.

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 and there are sufficient incriminating materials against them in this case. Apart from that investigation is at initial stage and CD is not available as reported by the prosecution. Therefore without perusing the case diary it would not be wise to consider the bail petitions.

Accordingly I am not inclined to enlarge accused on bail. Hence prayer for bail in respect of accused Koushik Sarkar @ Biswa and Hriday Roy stands rejected.

Let a CD be called for.

To 04.01.2025 for production of all accused from J.C. through Video Conference, I.O.'s report and CD.

Dictated & Corrected by,

Sd/-

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

Sd/-

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(NDPS) Cooch Behar.