

CIS No. NDPS 158/2021
In the Court of the Judge (Special Court) under NDPS Act, Siliguri
CR (NDPS) Case No. 158 of 2021

Order no. 09, Dated 04/03/2022

Sole accused person namely Abhishek Minj is not produced before this Court room to avoid overcrowding in view of existing pandemic situation.

One bail petition is filed and moved on behalf of the accused Abhishek Minj. Copy is served.

The Ld. Advocate submits that the accused person has been falsely implicated in this case and prays for bail.

Ld. Special PP-in-charge raises objection.

Heard both sides.

Perused the bail petition and the case record.

It appears that prima facie commercial quantity of contraband, prohibited under NDPS Act, or in contravention of NDPS Act, has been seized from the accused person and investigation is still in progress. Granting of bail with regard to commercial quantity is barred under section 37 of the NDPS Act. Considering this, gravity of the offence alleged, entire facts and circumstances of this case and nature and quantity of contraband seized, the bail petition stands rejected.

The case is adjourned.

To 17.03.2022 for production & I.O.'s report.

D/c by me

Sd/-

Judge, Special Court
NDPS Act, Siliguri

Sd/-

Judge, Special Court
NDPS Act, Siliguri
WB00683

CIS No. NDPS 139/2021
In the Court of the Judge (Special Court) under NDPS Act, Siliguri
CR (NDPS) Case No. 139 of 2021

Order no. 14, Dated 04/03/2022

Ld. Special PP-in-charge is present on call.

The defacto complainant of this case Harjit Rao is also present on call.

Neither of the two accused persons is present on call.

The defacto complainant of this case Harjit Rao is examined on oath. He states that he has no objection if the FRMF submitted in this case is accepted and the accused persons are discharge from this case.

Ld. Special PP-in-charge also raises no objection.

Heard the Ld. Special PP-in-charge.

Perused the statement on oath of the defacto complainant and the case record.

It appears that the defacto complainant has no objection if the FRMF submitted in this case is accepted and the accused persons are discharge from this case. It appears from the case record that the chemical examination report received in this case does not support this case on the ground that the alleged recovered contraband is not prohibited substance under NDPS Act. Thus, there is ground to accept FRMF No. 66/22.

Accordingly, FRMF No. 66/22 is accepted.

Both the accused persons namely Biswarup Baidya and Biswajit Mondal are discharged from this case.

D/c by me

Sd/-

Judge, Special Court
NDPS Act, Siliguri

Sd/-

Judge, Special Court
NDPS Act, Siliguri
WB00683