

Special NDPS Case No.1/2022

Order No. 16
Dated 10.04.2025

Today is fixed for production of accused Prakash Chettri and appearance of other two accused persons who are on bail.

Accused Prakash Chettri is produced from J/C and other two accused persons who are on bail are present by filing hazira.

No witness is present today as per the endorsement of Ld. Special P.P. Hence, the case is adjourned.

To date (11.04.2025) for production, appearance and evidence.

At this stage, Ld. Counsel for the accused Prakash Chettri files a petition praying for bail on the ground of detention of the accused in judicial custody since last two years. It was submitted by the Ld. Counsel for the accused that the accused was granted bail by the Ld. Trial court on previous occasion but somehow there was a lack of communication between the accused and his previous lawyer for which the warrant of arrest had been issued against him. The accused has bonafide intention to face the trial and there is no chance of further absconsion of the accused, if enlarged on bail.

On the flip side, Ld. Special P.P. raises vehement objection against the prayer for bail considering the gravity of offence, quantum of seized narcotic substances as well as stage of trial.

Perused the record. Also perused the seizure list. Charge sheet has been filed against the accused persons u/s 22(c) of NDPS Act and the charge was framed against him on 10th day of July, 2023. Moreover, seven witnesses have been examined by the prosecution so far.

Having regard to the nature of offence, filing of charge sheet and stage of trial, I am not inclined to enlarge the accused on bail at this stage of trial. Hence prayer for bail stands rejected.

To date for production, appearance and evidence.

D&C by me

Sd/-

Judge, Special Court (NDPS)

Kalimpong

Sd/-

Judge, Special Court (NDPS)

Kalimpong