

CIS No. NDPS 05/2021

In the Court of the Judge (Special Court) under NDPS Act, Siliguri

CR (NDPS) Case No. 05 of 2021

Order no. 19, Dated 17/02/2022

Accused Chandra Bahadur Tamang and Indra Bahadur Tamang are not produced before this Court room to avoid overcrowding in view of existing pandemic situation.

One petition is filed and moved on behalf of accused Chandra Bahadur Tamang and Indra Bahadur Tamang praying for modification of the bail amount passed by this Court vide order dt. 16.07.2021. Copy served.

The Ld. Advocate submits that the accused persons are very poor for which they do not even arrange the bail amount as well as any local surety. He prays for modification of the bail amount.

Ld. Special PP-in-charge raises objection.

Heard both sides.

Perused the petition and the case record.

It appears that the both the accused Chandra Bahadur Tamang and Indra Bahadur Tamang were granted bail on statutory ground of Rs. 20,000/- each with two sureties of Rs. 10,000/- each one of which must be local on 16.07.2021, but since then they have not been able to furnish the bail, probably due to high amount.

I think the bail amount should be lower to enable the accused to be released on bail. The bail amount should not be high enough to disable the accused to furnish bail bond.

Considering the nature and quantity of the contraband seized and the period of detention of the accused Chandra Bahadur Tamang and Indra Bahadur Tamang be released on furnishing of cash security of Rs. 15,000/- (Rupees Fifteen Thousand) each with a condition to appear before the I.O. on every Monday and Thursday till the completion of investigation.

Accordingly, the order dt. 16.07.2021 stands modified.

To 29.03.2022 for appearance, if on bail and I.O.'s report.

D/c by me

Sd/-

Judge, Special Court
NDPS Act, Siliguri

Sd/-

Judge, Special Court
NDPS Act, Siliguri
WB00683